

# Notice of meeting and agenda

## Regulatory Committee

**10.00am Thursday, 9th January, 2020**

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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.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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## **1. Order of Business**

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

## **2. Declaration of Interests**

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

## **3. Deputations**

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- 3.1** If any.

## **4. Minutes**

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| <b>4.1</b> | Minute of the Regulatory Committee of 21 October 2019 – submitted for approval as a correct record | 7 - 14 |
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## **5. Rolling Actions Log**

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| <b>5.1</b> | Rolling Actions Log | 15 - 26 |
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## **6. Business Bulletin**

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| <b>6.1</b> | Regulatory Committee Business Bulletin | 27 - 32 |
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## **7. Executive Decisions**

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|------------|---|----------|
| <b>7.1</b> | Licence Income from Fees 2018/2019 – Report by the Executive Director of Place                          | 33 - 56  |
| <b>7.2</b> | Taxi Stance Appointment – St. Andrew Square – Report by the Executive Director of Place                 | 57 - 62  |
| <b>7.3</b> | Taxi Stance Appointment - East Market Street – Report by the Executive Director of Place                | 63 - 94  |
| <b>7.4</b> | Taxi and Private Hire Car Enforcement and Complaints Update – Report by the Executive Director of Place | 95 - 108 |

<b>7.5</b>	Taxi Fares Review 2019/20 – Report by the Executive Director of Place	109 - 182
<b>7.6</b>	Air Weapons and Licensing (Scotland) Act 2015 – Repeal of Theatres Act 1968 – Update After Statutory Consultation – Report by the Executive Director of Place	183 - 200

## **8. Routine Decisions**

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**8.1** None

## **9. Motions**

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**9.1** If any

## **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 64 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, 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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# Minutes

## Regulatory Committee

9.30am, Monday 21 October 2019

### Present

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

### 1. Licensing Policy Development – Street Trading Update

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#### (a) Deputation – High Street and Playfair Steps Street Traders Association

The deputation welcomed the progress made over the last year regarding the changes to the application and allocation process for street trader licence applications for the High Street and Hunter Square. The Association were keen to work with the Council towards moving forward in a positive way.

The Association also wanted to improve the quality and standards of street trading stalls on the High Street and had had meetings with organisations such as Edinburgh World Heritage to seek input and advice on operating within a World Heritage area.

The deputation was concerned about the recommendations in the Executive Director of Place's report that no further street trader licences should be granted outside the building at 329 High Street and the impact this would have on the livelihoods of local independent traders.

#### (b) Report by the Executive Director of Place

The Committee had previously agreed to adopt new conditions for street trading and market operator licensing.

Following adoption of the Public Spaces Protocol which was now in operation throughout the city, a number of proposed changes to the Street Trading Policy were submitted for consideration.

#### Decision

- 1) To note the report.
- 2) To affirm the terms of the existing street trading policy as set out in Appendix 2 of the report.

- 3) To note the commitment that further work would 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.
- 4) To agree that, in the meantime, no changes would be made to the High Street (with the exception of the area outside 329 High Street) and Playfair Steps/Mound Precinct as set out in paragraph 4.12 of the report.
- 5) To agree that no further licences would be granted for the area outside 329 High Street as set out in paragraph 4.13 of the report.
- 6) To agree to introduce a daily rate for charitable organisations as set out in paragraph 4.20 of the report.
- 7) To support, in principle, the proposals and changes to policy detailed in paragraphs 4.6, 4.7, 4.8, 4.9, 4.11 and 4.17 of the report and to include a review of options for the management of Hunter Square during the August festivals, the report to be brought back to Committee in three cycles.
- 8) To instruct the Executive Director of Place to engage with Visit Scotland in relation to any objections they might have to four stalls being sited at 249 High Street.

(References – Regulatory Committee 1 February 2016 (item 1) and 7 May 2018 (item 2); report by the Executive Director of Place, submitted)

## **2. Minutes**

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### **Decision**

To approve the minute of the Regulatory Committee of 19 August 2019 as a correct record.

## **3. Rolling Actions Log**

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The Regulatory Committee Rolling Actions Log for 21 October 2019 was submitted.

### **Decision**

To note the remaining outstanding actions.

(Reference – Regulatory Committee Rolling Actions Log 21 October 2019, submitted)

## **4. Business Bulletin**

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The Regulatory Committee Business Bulletin for 21 October 2019 was submitted.

### **Decision**

To note the Business Bulletin.

(Reference – Business Bulletin 21 October 2019, submitted)

## 5. Licensing Fees (Market Operators)

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The Council, on 21 February 2019, agreed as part of the final budget that increasing Council income was a priority for the Change Strategy and that the focus should be on increasing existing or creating new income streams.

The current application fee for a temporary outdoor market in Ward 11 (City Centre) operating less than once per calendar month was £84 per stall subject to a maximum of £5,000.

Taking into account concerns previously expressed by members of the committee and the requirement for full cost recovery for major events in the city, the following three options were submitted for consideration:

- **Option A** – No change to the current fee structure of £84 fee per stall for up to 28 days subject to a maximum fee of £5,000.
- **Option B** - No change to the current fee structure of £84 fee per stall for up to 28 days subject to the maximum fee being capped at £1000 for community based events provided there was no commercial element.
- **Option C** - To exclude the Meadows from the Market Operator fee structure for Ward 11 (City Centre).

### Motion

- 1) To note the report.
  - 2) To agree to Option A and make no change to the current fee structure.
- moved by Councillor Fullerton, seconded by Councillor Dixon

### Amendment

- 1) To note the report.
  - 2) To note that, at its meeting of 2<sup>nd</sup> February 2015, the Regulatory Committee DID NOT include any part of the Meadows in its higher pricing regime for City Centre Ward 11 (para 3.3 and Appendix 2).
  - 3) To note that the subsequent inclusion of the Meadows west of Middle Meadow Walk within the boundary of City Centre ward 11, only occurred due to the external event of a change made by the Boundary Commission (Scotland) which took effect in May 2017.
  - 4) To note the singular history of the Meadows Festival as a volunteer-run charity and community event and stretching back to 1974.
  - 5) To note the Council desire to recharge what are described as full cost recovery rates.
  - 6) To resolve to adopt Option C.
- moved by Councillor Rose, seconded by Councillor Mitchell

## **Voting**

For the motion - 5  
For the amendment - 3

(For the motion – Councillors Dixon, Fullerton, Howie, Rae and Watt.  
For the amendment – Councillors Mitchell, Rose and Neil Ross.)

## **Decision**

- 1) To note the report.
- 2) To agree to Option A and make no change to the current fee structure.

(References – Regulatory Committee 2 February 2015 (item 4); Act of Council No. 1 of 21 February 2019; Licensing Sub-Committee 23 April 2019 (item 3); 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 had carried out a statutory consultation on the proposals between 17 September 2019 and 15 October 2019 as required by the Civic Government (Scotland) Act 1982.

Responses to the consultation were set out in the appendix to the Executive Director's report.

## **Motion**

- 1) To note the report.
- 2) To note that a temporary Traffic Regulation Order had been introduced by the Roads Authority for this proposed taxi stance.
- 3) To note that officers had carried out statutory consultation on the appointment of the proposed taxi stance.
- 4) To agree to the appointment of the proposed taxi stance.
  - moved by Councillor Fullerton, seconded by Councillor Dixon

## **Amendment**

- 1) To note the report.
- 2) To note that a temporary Traffic Regulation Order had been introduced by the Roads Authority for this proposed taxi stance.
- 3) To note that officers had carried out statutory consultation on the appointment of the proposed taxi stance.
- 4) To delete recommendation 1.1.4 and replace with the following:
  - 1.1.4 Notes the proposed new rank would require intending taxi passengers to walk twice as far as at present from the station entrance.

- 1.1.5 Notes intending taxi passengers would be required to cross Market Street/East Market Street and, in some cases Jeffrey Street, whereas at present they could access taxis without crossing a road.
  - 1.1.6 Notes the report contained no disabilities assessment.
  - 1.1.7 Notes the report contained no detail of the precise location, duration, impact and access requirements of the building operations referred to in paragraph 4.1.
  - 1.1.8 Notes the report contained no collision or casualty data.
  - 1.1.9 Notes the report contained no detailed analysis of reasons for removing the current temporary traffic rank in relation to the alternatives.
  - 1.1.10 Notes the report contained no exploration of other options considered such as making better use of the area under Waverley Bridge or the south side of Market Street.
  - 1.1.11 Notes the overwhelming rejection of the proposals by respondents to the consultation.
  - 1.1.12 Instructs the report be brought back as soon as possible with an evaluation of points noted in 1.1.4 to 1.1.10.
- moved by Councillor Rose, seconded by Councillor Mitchell

In terms of Standing Order 21(11), the amendment by Councillor Rose was accepted as an addendum to the motion.

### **Decision**

To approve the following adjusted motion by Councillor Fullerton:

- 1) To note the report.
- 2) To note that a temporary Traffic Regulation Order had been introduced by the Roads Authority for this proposed taxi stance.
- 3) To note that officers had carried out statutory consultation on the appointment of the proposed taxi stance.
- 4) To continue consideration of the report to the next meeting of the Committee on 9 January 2020 for further information on the following points:
  - i) To note the proposed new rank required intending taxi passengers to walk twice as far as at present from the station entrance.
  - ii) To note intending taxi passengers would be required to cross Market Street/East Market Street and, in some cases Jeffrey Street, whereas at present they could access taxis without crossing a road.
  - iii) To note the report contained no disabilities assessment.
  - iv) To note the report contained no detail of the precise location, duration, impact and access requirements of the building operations referred to in paragraph 4.1.
  - v) To note the report contained no collision or casualty data.

- vi) To note the report contained no detailed analysis of reasons for removing the current temporary traffic rank in relation to the alternatives.
- vii) To note the report contained no exploration of other options considered such as making better use of the area under Waverley Bridge or the south side of Market Street.
- viii) To note the overwhelming rejection of the proposals by respondents to the consultation.

(References – Regulatory Committee 19 August 2019 (item 6); report by the Executive Director of Place, submitted)

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

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On 16 March 2018 the Regulatory Committee had agreed to maintain the limitation policy and to fix the number of available taxi licences at 1,316.

An interim update on the most recent analysis of demand for taxis in the City carried out by Vector Transport Consultancy in July 2019 was submitted. Stance observations had indicated there was no significant unmet demand for taxi services.

### **Decision**

- 1) To note the report from Vector Transport Consultancy as set out in Appendix 2 of the report by the Executive Director of Place.
- 2) To note that on 16 March 2018 the Regulatory Committee agreed to maintain the limitation policy and to fix the number of available licences at 1,316 and that this was last reviewed by the Committee when it considered a report on an interim survey of demand on 20 May 2019.
- 3) To agree that there was 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.
- 4) To 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 was completed.

(References – Regulatory Committee 16 March 2018 (item 7); report by the Executive Director of Place, submitted)

## **8. Taxi Vehicle Licence Conditions (Advertising)**

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The Committee had previously approved a request from Dooh Smart Ltd to install “Brightmove taxi top illuminated advertising technology” on City of Edinburgh taxi vehicles. Members had also requested that a further report be submitted setting out a framework and guidance principles on types of advertising which would be permitted or not permitted.

The Advertising Standards Authority (ASA) was the UK’s independent regulator of advertising across all online and offline media. The UK advertising codes laid down rules for advertisers, agencies and media owners to follow.

The ASA proactively monitored advertising for compliance as well as responding to complaints and issued rules on its investigations.

The City of Edinburgh Council Licensing Conditions for Taxis, Private Hire Cars and their Drivers (Advertising and Personalising Marks) broadly mirrored the categories set down by ASA. This ensured that the Committee had the right to require the immediate removal of any advertising on Licensed Vehicles that were not permitted in terms of the conditions.

Since the introduction of the conditions in 2013 there had been no examples or complaints that have required action to be taken to remove adverts.

### **Decision**

- 1) To note the report.
- 2) To discharge the outstanding remit from the Regulatory Committee on 19 August 2019.

(References – Regulatory Committee 19 August 2019 (item 5); report by the Executive Director of Place, submitted)

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

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The Air Weapons and Licensing (Scotland) Act 2015 had added new sections to the Civic Government (Scotland) Act 1982 enabling local authorities to introduce a discretionary licensing system for sexual entertainment venues.

An initial public consultation had been carried out and concluded and responses received were submitted.

It was proposed that the Committee agree, in principle, to adopt a sexual entertainment venue licensing scheme. Proposed next steps to implement the scheme were submitted.

### **Decision**

- 1) To note the report and the responses to the initial public consultation on the licensing of sexual entertainment venues.
- 2) To agree, in principle, to adopt a scheme to licence sexual entertainment venues.
- 3) To instruct that officers draft a proposed Sexual Entertainment Venue (SEVs) resolution, policy and conditions of licence for the Committee to agree.
- 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.
- 5) To agree that evidence sessions would be held by the Committee to inform that work.

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

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

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An update was provided on the outcome of the consultation undertaken on the current support provided to tenants applying to the Housing and Property Tribunal to require improvement works. The results expressed general support for the current Council practice.

### **Decision**

- 1) To note the report and the outcome of the consultation.
- 2) To 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 repaired and maintained accommodation to minimum physical standards.
- 3) To approve the draft policy set out in Appendix 1 of the report detailing the service offered by the Council to tenants seeking to use the Housing and Property Chamber in respect of the repairing standard.

(References – Regulatory Committee 20 May 2019 (item 7); report by the Executive Director of Place, submitted)

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

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The Governance, Risk and Best Value Committee had referred the HMO Licensing Audit to the Regulatory Committee for review and scrutiny.

### **Decision**

- 1) To note the report.
- 2) To include expected completion dates of management actions identified in the Audit in the Committee's rolling actions log for ongoing monitoring of progress.

(Reference – Governance, Risk and Best Value Committee 13 August 2019 (item 7); report by the Chief Executive, submitted)



## Regulatory Committee

9 January 2020

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	October 2019	Report submitted to Committee on 21 October 2019.  (New action opened – see action 10 below).  <b>Recommended for closure.</b>
2	26.06.18	Private Rented Sector Enforcement Activities	1) To agree to receive a further report on future enforcement activities.  2) To agree to receive a further report proposing a draft policy on improving repairs and other matters as set out in paragraphs 3.19-3.20	Executive Director of Place	October 2019	October 2019	Report approved by Committee on 21 October 2019.  <b>Recommended for closure.</b>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			and 3.29-3.30 of the 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	9 January 2020		Report on the agenda for Committee on 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:	Executive Director of Place	May 2020		Recruitment of Trainers underway December 2019.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			new drivers – Jan 2020 existing drivers – April 2020				
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	June 2020		Scheme of delegation is scheduled to be submitted to Council in June 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		Report on agenda for committee on 9 January 2020.
7	19.08.19	Request for Variation: Taxi Vehicle Licence Conditions (Advertising)	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.	Chief Executive	June 2020		Scheme of delegation is scheduled to be submitted to Council in June 2020.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			2) 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.	Executive Director of Place	October 2019	October 2019	Report approved by Committee on 21 October 2019.  <b>7 (2) Recommended for closure.</b>
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	January 2020		Report on the agenda for Committee on 9 January 2020.
9	21.10.19	Air Weapons and Licensing (Scotland) Act 2015 – Sexual Entertainment Venues – Update After Initial Consultation	1) To instruct that officers draft a proposed Sexual Entertainment Venue (SEVs) resolution, policy and conditions of licence for the Committee to agree.  2) To note that a statutory consultation on the agreed policy would then be carried out with	Executive Director of Place	August 2020		Evidence sessions postponed until January/February 2020.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>the results and recommendations to be brought back to the Committee for final approval.</p> <p>3) To agree that evidence sessions will be held by the Committee to inform that work.</p>				
10	21.10.19	Street Trading: High Street and Hunter Square Update	<p>1) To support, in principle, the proposals and changes to policy detailed in paragraphs 4.6, 4.7, 4.8, 4.9, 4.11 and 4.17 and to include a review of options for the management of Hunter Square during the August Festivals, the report to be brought back to committee in 3 cycles.</p> <p>2) To note the commitment that further work will be undertaken</p>	Executive Director of Place	May 2020		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>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.</p> <p>3) To instruct officers to engage with Visit Scotland in relation to any objections they may have to four stalls being sited at 249 High Street.</p>				
11	21.10.19	Internal Audit Findings – Timescales for Completion of Management Actions	To include expected completion dates of management actions identified in the Audit in the Committee's rolling actions log for ongoing monitoring of progress.	Executive Directors of Place and Resources			
			<p>1. Develop a project plan for system upgrade to APP Civica CX</p>	Executive Director of Resources	31 March 2020		APP upgraded to 8.7.1 in November 2019 (interim step).

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			2. Performance assessment of system issues with APP as part of a wider performance report	Executive Director of Place	31 March 2020		
			3. BACS payment reference	Executive Director of Place	31 March 2020		
			4. Inspection Revisit Policy	Executive Director of Place	December 2019		The process is due to be implemented on 6 January 2020 to allow time for the new process to be fully implemented and monitored.
			5. Allocation of Inspection Visits	Executive Director of Place	November 2019		The APP upgrade presented some technical issues with access to the reporting functionality preventing the service from fully implementing the new process. The

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
							expected revised closure date is now 31 January 2020.
			6. Inspection documentation	Executive Director of Place	October 2019	October 2019	Process implemented by service 6 Nov. Internal Audit requested a period of monitoring prior to closure, expected revised date of closure is 31 January 2020.
			7. Refund Policy information on the website	Executive Director of Place	October 2019	December 2019	Implemented 20 October 2019. Internal Audit requested further amendments which were made 6 December 2019.
			8. Reconciliation between physical applications and APP system	Executive Director of Resources	October 2019		Update requested.



No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			9. HMO Key Performance Indicators and Performance Reporting	Executive Director of Place	March 2020		
			10. Training and Guidance: Induction documentation	Executive Director of Place	September 2019		Implemented 20 October 2019. Internal Audit requested further steps which were undertaken on 6 November 2019.
			11. HMO application processing procedures	Executive Director of Place	December 2019		Updated Guide issued to staff 31 December 2019. Expected date of closure is 31 December 2019.
12	24.10.19 Council	Motion by Councillor Rae – Capping Private Hire Car Licences	1) Calls for a report to Regulatory Committee on capping Private Hire Car licences in the City.	Executive Director of Place	March 2020		Note: The Scottish Government overprovision guidance was published on 24 October 2019.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>2) The report called for to the Regulatory Committee within 2 cycles should identify whether there is overprovision of private hire cars within Edinburgh so that it can consider whether a policy on overprovision should be introduced. The report should also include:</p> <ul style="list-style-type: none"> <li>Information regarding current means of inspection and enforcement undertaken by CEC and Police Scotland including any examples of best practice elsewhere; and</li> </ul>				

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<ul style="list-style-type: none"> <li>Data in relation to public safety; and information from Police Scotland on reported crime for both the taxi and private hire trade for each of the last five years (inclusive).</li> </ul>				

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## Business bulletin



## Item 5.1

### Regulatory Committee

**10.00am, Thursday, 9 January 2020**

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

# Regulatory Committee

Convener:	Members:	Contact:
<p>Councillor Catherine Fullerton</p> 	<p>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><a href="#">Lesley Birrell</a> Committee Services 0131 529 4240</p> <p><a href="#">Andrew Mitchell</a> Regulatory Services Manager 0131 529 4208</p>
<p>Vice-Convenor Councillor Denis Dixon</p> 		

Recent News	Background
<p><b>Private Hire Car overprovision</b></p> <p>On 24 October 2019 the City of Edinburgh Council passed a motion asking for a policy on Private Hire Car ('PHC') overprovision. to be brought to the Regulatory Committee within two cycles. This report is due to be presented to the Regulatory Committee in March 2020.</p> <p>On 24 October 2019 the Scottish Government released its guidance for Local Authorities on how PHC overprovision could be calculated. Officers are currently considering the terms of this guidance. The guidance and relevant material can be viewed in full at the links below:</p> <p>Scottish Government – <a href="#">Private Hire Car licensing: guidance on power to refuse on grounds of overprovision</a></p> <p>Scottish Government – <a href="#">Private Hire Car overprovision: independent assessment tool for local authorities</a></p>	<p>The Air Weapons and Licensing (Scotland) Act 2015 introduced a new discretionary power to allow licensing authorities to limit the number of PHCs provided 'overprovision' could be shown. This section of the Act came into force in May 2017.</p> <p>Ministers agreed to provide guidance to licensing authorities on how to assess 'overprovision'.</p>
<p><b>Feedback on Scottish Government Consultation: Taxi and Private Hire – Impact of Modern Technology</b></p> <p>During implementations of the Air Weapons and Licensing (Scotland) Act 2015, concerns were raised about the impact of modern technology on the licensing regime for taxis and private hire cars.</p> <p>In March 2016 the Scottish Government consulted on these changes, and specifically how technology had affected the way taxis and Private Hire Cars operated with regard to taking of bookings, booking offices and fares. Views were sought from various organisations including Local Authorities, trade bodies and the public.</p> <p>The responses have now been published by the Scottish Government and can be found <a href="#">here</a>.</p>	<p>A copy of the Council's response to that consultation can be found in the committee papers for September 2016 and accessed via <a href="#">this link</a>.</p>

### **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. As previously advised the recruitment period had to be extended due to a slower than anticipated response rates. Additional responses have been received, and interviews are currently being organised. The Forum is expected to be appointed early in 2020.

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.

### **Sexual Entertainment Venues**

On 21 October 2019 the committee agreed in principle to adopt a framework to license Sexual Entertainment Venues (SEVs). As a result, Council officers have arranged a series of evidence sessions with key stakeholders in February 2020. These evidence sessions will provide members with a detailed and robust evidence base which will allow informed decisions to be made in respect of a SEVs policy and licensing scheme. A further report will be brought forward for the committee to consider a draft SEVs policy, resolution and licence conditions ahead of a period of statutory consultation.

In March 2019 a commencement order was laid before the Scottish Parliament which provides a discretionary licensing regime for Sexual Entertainment Venues (SEVs). A SEV is defined as premises where sexual entertainment is performed live, for the direct or indirect financial benefit of the organiser and for the sole purpose of sexual stimulation of members of the audience.

### **Short term lets**

On 28 October 2019 the Scottish Government published an independent analysis of the responses to its consultation on the potential regulation of short term lets. More than 1,000 responses were received which demonstrated wide support for regulation of the sector. Respondents included landlords, communities and businesses. A number of concerns were highlighted about the effects of short term lets, including antisocial behaviour, safety fears, and the impact on the housing market. The research also highlighted the economic benefits brought by the short term lets industry. The Scottish Government is considering the analysis of the

The Council has previously expressed strong concern about the impact of certain aspects of the short term letting industry on the city. The Council has previously agreed a position calling for additional regulation of the sector, through the introduction of a licensing system. The Scottish Government would be required to take action to introduce



responses in order to inform policy proposals to be brought forward later this year.	legislation to achieve the objective of additional regulation.
<p><b>Houses in Multiple Occupation</b></p> <p>On 28 November 2019 the Licensing Service met with over 30 House in Multiple Occupation (HMO) agents operating in Edinburgh to provide an update on areas which may affect the operation of HMOs over the next year. Regulatory Services Manager Andrew Mitchell, and Licensing Manager Catherine Scanlin gave updates on short term lets, new rules on landlord registration and the operation of three year HMO licence renewals. The meeting gave agents the opportunity to raise queries and to discuss relevant topics with Council officers. It was agreed that the meeting was a useful forum for the agents and officers, and a further meeting is planned in 2020.</p>	<p>Council officers have agreed to meet with the trade across the licensing spectrum on a regular basis in order to keep the trade informed of any developments which may have an effect on their operation in the city. The meetings provide officers and the trade with a forum to discuss issues and to improve communication with licence holders.</p>

#### **Forthcoming activities:**

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## Regulatory Committee

10.00am, Thursday, 9 January 2020

### Licence Income from Fees 2018/19

Executive/routine	
Wards	Citywide
Council Commitments	N/A

#### 1. Recommendations

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- 1.1 The Regulatory Committee is asked to note the content of this report.

#### Paul Lawrence

Executive Director of Place

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## Licence Income from Fees 2018/19

### 2. Executive Summary

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- 2.1 This report provides the committee with high level information on the income collected from licensing fees during the last full financial year 2018/19. The report gives detail on income from the three main licence categories and provides a breakdown of the main expenditure against this.

### 3. Background

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- 3.1 The Council's activities as a Licensing Authority are funded directly by income raised from licence application fees. The fees currently charged are approved by full Council as part of the budget process. A small number of fees are fixed or capped by legislation and are thus not set by the Council. Notwithstanding that, this committee has the power to amend the fee structure.
- 3.2 The provision of licensing services is not directly funded from the Council's general revenue fund. Fees are designed to fully recover the costs of the service. Income in relation to Taxi and Private Hire Car Licences and Houses in Multiple Occupation ('HMOs') is ringfenced, and any surplus is maintained separately. Income from all other types of licence is not ringfenced, and any surplus which exists at the end of the financial year is included within the Council's end of year accounts.
- 3.3 The Air Weapons and Licensing (Scotland) Act 2015 introduced a requirement for Licensing Boards to report income and expenditure. There was a request from committee members that a similar format should be used to increase the transparency of reporting income from the Council's licensing activities, as historically this information was included in much more detailed financial reporting. The second such report was presented to the Regulatory Committee in October 2018.

### 4. Main report

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- 4.1 Income is collected from licence applications and is coded against three main licence types:
- 4.1.1 Taxi and Private Hire Cars (PHCs) etc;

- 4.1.2 Houses in Multiple Occupation (HMOs); and
- 4.1.3 Civic (which includes any remaining licence types dealt with by the Council not in 4.1.1 and 4.1.2 above).
- 4.2 In relation to 4.1.1, the Council does not further break down income to show, for example, income for taxis as opposed to PHCs, and for vehicles as opposed to drivers. The resource necessary to deal with these is the same and there is no operational need for the service to create a breakdown which does not reflect how the service is structured.
- 4.3 The Council's income from licence fees is attached at Appendix 2. The structure of Civic and taxi/PHC fees was last reviewed in 2015. As part of its budget process the Council considers whether any annual increase of fees is required. This report therefore does not deal with any fee increase, as this will be done as part of the wider budget process by Council later this year.
- 4.4 The fee structure for HMOs was last reviewed in April 2017, and a new three year fee structure was introduced at that time. This will be reviewed in 2020, and a report will be submitted to the next cycle of the committee.
- 4.5 Details of income generated and the main items of expenditure are attached at Appendix 2.
- 4.6 As indicated above, income from taxis/PHC and HMOs are ringfenced, and if there is a surplus of income this is held in reserve accounts. These accounts are monitored regularly to ensure that they remain appropriate, and are reported to the Finance and Resource Committee within much more detailed accounts.
- 4.7 In terms of Civic licence fees, as these are not subject to the same ring-fencing as taxi/PHC and HMO, no estimate is included in Appendix 2 as to the direct or supporting costs of related enforcement. This cost is considered likely to be in excess of the surplus indicated in Appendix 3, but it is important to note that services in Place Directorate do not receive a specific budget for undertaking licensing activity.
- 4.8 The current cash reserves are set out in Appendix 3. In relation to the HMO reserve, members may recall that, at the time the new fee structure was implemented as set out at paragraph 4.4 above, the long-term plan was to allow this reserve to reduce as the effect of three year licences became apparent. This will be monitored, and adjustments recommended if necessary, in the report at next cycle.
- 4.9 The taxi and PHC reserve is required to provide capital, should infrastructure or work on the Taxi Examination Centre ('TEC') be required. For example, the cost of procuring a new inspection ramp was approximately £60,000. The reserves are maintained at a prudent level to ensure that further capital is available should it be required, as other capital funding in the Council is not available for these costs. Whilst the reserve now stands at £800K, the need to ensure capital for the replacement of the TEC is now being quantified. Following a decision of the Finance & Resources Committee the last date for the closure of Murrayburn is April 2022, by which time a new facility will have to be secured and commissioned. The

initial estimated cost of this is £500K, which would account for most of the reserve and leave a small contingency. In conjunction with colleagues in Corporate Property, work is ongoing to identify an alternative location. A further report will be provided when this is completed and costs verified.

## **5. Next Steps**

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- 5.1 It is recommended that the committee notes this report and agrees to receive a further report in due course.

## **6. Financial impact**

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- 6.1 No direct financial impact - this report is for information only. The Council's scale of fees for licensing applications was approved by full Council with effect from 1 April 2019.

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

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- 7.1 The report provides members with information. No direct policy implications arise from the report. Decisions on fees and expenditure are made as part of the Council's budget process.

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

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- 8.1 [Licence Income for Fees 2017-2018 report](#) to Regulatory Committee on 22 October 2018.

## **9. Appendices**

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- 9.1 Appendix 1 – Current fees.
- 9.2 Appendix 2 – Income and expenditure for 2018/19.
- 9.3 Appendix 3 – HMO and taxi/PHC reserve accounts.

# 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>BOAT HIRE</b>		
	new/renewal	£597 – 1 year
	temporary	£200 – up to 28 days
	temporary – inc late application surcharge	£240 – up to 28 days
<b>INDOOR SPORTS</b>		
	new/renewal	£997 – 1 year
	temporary	£695 – up to 28 days
	temporary- inc late application surcharge	£834 – up to 28 days
	community or charitable events (reduced fee is not available when the event involves any commercial activity)	£121 – up to 6 weeks
<b>KNIFE DEALERS</b>		
	new	£224 – 1 year
	renewal	£168 – 1 year
<b>LATE HOURS CATERING</b>		
	new	£627 – 1 year
	renewal	£449 – 1 year
	exemption	£112 – up to 2 months max
<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> )
<b>METAL DEALERS – Includes Itinerant Metal Dealers</b>		
	new / renewal	£640 – 1 year
	renewal	£1682 – 3 years
<b>PUBLIC CHARITABLE COLLECTION PERMIT (see note 1) – NO FEE</b>		
A maximum of 6 days street and/or 6 days house to house collections in any calendar year, with only one Saturday permitted for a street collection and/or house to house collection		
<b>PUBLIC ENTERTAINMENT</b>		
	Capacity 1 – 200	£1066 – 1 year new or temporary up to 28 days
	Capacity 1 – 200 - <b>inc late application surcharge</b>	£1276 – temporary up to 28 days
	Capacity 1 – 200	£863 – 1 year renewal
	Capacity 201 - 1000	£1594 – 1 year new or temporary up to 28 days
	Capacity 201 – 1000 - <b>inc late application surcharge</b>	£1913 – temporary up to 28 days
	Capacity 201 - 1000	£1066 – 1 year renewal



	Capacity 1001 - 5000	£3197 – 1 year new or temporary up to 28 days
	Capacity 1001 – 5000 - <b>inc late application surcharge</b>	£3837 – temporary up to 28 days
	Capacity 1001 - 5000	£2129 – 1 year renewal
	Capacity 5,001 - 10,000	£6395 - 1 year new or temporary up to 28 days
	Capacity 5,001 - 10,000 - <b>inc late application surcharge</b>	£7660 – temporary up to 28 days
	Capacity 5,001 - 10,000	£4257 – 1 year renewal
	Capacity 10001 - 15,000	£10387 – 1 year new or temporary up to 28 days
	Capacity 10001 - 15,000 - <b>inc late application surcharge</b>	£12459 – temporary up to 28 days
	Capacity 10001 - 15,000	£7788 – 1 year renewal
	Capacity > 15000	£13433 – 1 year new or temporary up to 28 days
	Capacity > 15000 - <b>inc late application surcharge</b>	£16124 – temporary up to 28 days
	Capacity > 15000	£10074 – 1 year renewal
	<b>Sun Tan Centres – sun beds</b>	£252 – per bed for 1 year new or renewal
<b>PUBLIC ENTERTAINMENT - Community/Charitable/Religious or Political Group Events</b>		
Free to enter events		
	capacity up to 500 - <b>see note 5</b>	No Fee
	capacity 501 - 2500	£155 – temporary up to 28 days
	capacity 2501 - 5000	£309 – temporary up to 28 days
	capacity greater than 5000	temporary up to 28 days - 25% discount of normal fee
	capacity 501 - 2500	£412 – 1 year
	capacity 2501 - 5000	£824 – 1 year
	capacity greater than 5000	25% discount of normal fee - 1 year
Pay to enter events		
	capacity of up to 250- <b>see note 6</b>	No Fee
	capacity 251 - 2500	£155 – temporary up to 28 days
	capacity 2501 - 5000	£309 – temporary up to 28 days
	capacity greater than 5000	temporary up to 28 days - 25% discount of normal fee
	capacity 251 - 2500	£412 – 1 year
	capacity 2501 - 5000	£824 – 1 year
	capacity greater than 5000	25% discount of normal fee - 1 year

<b>PUBLIC ENTERTAINMENT - Amusement Devices linked to a public entertainment event or a stand alone structure – see note 2</b>		
	Amusement devices 1	£211 – 1 year new or temporary up to 28 days
	Amusement devices 1 - <b>inc late application surcharge</b>	£252 – temporary up to 28 days
	Amusement devices 2 - 5	£970 – 1 year new or temporary up to 28 days
	Amusement devices 2 - 5 - <b>inc late application surcharge</b>	£1164 – temporary up to 28 days
	Amusement devices 6 - 20	£2392 – 1 year new or temporary up to 28 days
	Amusement devices 6 – 20 - <b>inc late application surcharge</b>	£2870 – temporary up to 28 days
	Amusement devices > 20	£4738 – 1 year new or temporary up to 28 days
	Amusement devices > 20 - <b>inc late application surcharge</b>	£5686 – temporary up to 28 days
<b>PUBLIC ENTERTAINMENT – Variation to an existing licence – see note 3</b>		
	Change to capacity > 15,000	£13455
	Change to capacity > 15,000 - <b>inc late application surcharge</b>	£16145
	Change to capacity > 10,001 to 15000	£10400
	Change to capacity > 10,001 to 15000 - <b>inc late application surcharge</b>	£12479
	Change to capacity 5,001 - 10,000	£6395
	Change to capacity 5,001 - 10,000 - <b>inc late application surcharge</b>	£7674
	Change to capacity 1,001 - 5,000	£3198
	Change to capacity 1,001 - 5,000 - <b>inc late application surcharge</b>	£3837
	Change to capacity 201 - 1,000	£1609
	Change to capacity 201 - 1,000 - <b>inc late application surcharge</b>	£1931
	Change to capacity 1 - 200	£1066
	Change to capacity 1 – 200 - <b>inc late application surcharge</b>	£1278
	Variation other than a capacity increase	£118
	Live animal supplement *	£224 – per event
	*any application that involves a vet inspection will be charged the full cost of that inspection <u>in addition</u> to the licence application fee	
	Hypnotism supplement	£224 –per event
<b>SECOND-HAND DEALER</b>		
	new	£224 – 1 year
	renewal	£168 – 1 year
	renewal	£406 – 3 years

	exemption – disposal of stock in trade	£102 – per application
	temporary	£112 – up to 28 days
	temporary - <b>inc late application surcharge</b>	£135 – up to 28 days
	antique fairs dealers	£66 – 1 year
	stamp & book fairs dealers	£66 – 1 year
	record/transaction books	£9 – per book
<b>SEX SHOP</b>		
	new/renewal	£1572 – 1 year
<b>SKIN PIERCING/TATTOOING</b>		
Where activity carried out from premises		
	Principal Operator with employees - New	£280 – 1 year
	Renewal	£280 – 1 year
	Renewal	£560 – 3 years
	Each additional employee	£84
	Self Employed Operator - New	£280 – 1 year
	Renewal	£280 – 1 year
	Renewal	£560 – 3 years
One Off Events		
	Principal Operator/Organiser	£269 – per application
	Attending an exhibition or Arts event – where event licence is already in place	£84 – max 7 days
<b>STREET TRADERS</b> – a valid food hygiene certificate must be submitted with an application to sell food		
	Food	£316 – 1 year
	Non food	£215 – 1 year
	Food - temporary	£224 – per application - up to 7 days max
	Food - temporary - <b>inc late application surcharge</b>	£269 – per application - up to 7 days max
	Non food - temporary	£168 – per application - up to 7 days max
	Non food - temporary - <b>inc late application surcharge</b>	£202 – per application - up to 7 days max
	Food - change of vehicle	£168 – per application
	Food Hygiene Inspection for vehicles	£168 – per vehicle when not part of a licence application
	Food - change of vehicle - <b>inc late application surcharge</b>	£202 – per application
	Employees – per applicant	£56 – for the duration of employers licence
	Employees – per applicant - <b>inc late application surcharge</b>	£67 – for the duration of employers licence

<b>Charitable Organisations</b>		
Provided there is no commercial element, i.e. where 100% of the profits is given over to the charity or community group. Qualifying criteria must be submitted with an application and after expiry of licence		
	<b>See note 1</b>	£75 – 6 months max
<b>WINDOW CLEANERS</b>		
	New/ Renewal	£112 – 1 year
	Renewal	£280 – 3 years
<b>OTHER LICENCE TYPES</b>		
<b>ANIMAL BOARDING</b>		
	Commercial Kennels*	£333 – 1 year
	Home Boarding or Dog Day Care (1–10 animals) *	£155 – 1 year
	Home Boarding or Dog Day Care (>10 animals) *	£333 – 1 year
*any application that involves a vet inspection will be charged the full cost of that inspection <b>in addition to</b> the licence application fee		
<b>CINEMAS</b>		
	multi-screen	£618 – 1 year
	single screen	£309 – 1 year
	temp	£206 – 1 month
	transfer	£123
	up to 4 screens	£618 – 1 year
	variation	No fee
	Change of manager	£95
<b>DANGEROUS WILD ANIMALS</b>		
*any application that involves a vet inspection will be charged the full cost of that inspection <b>in addition to</b> the licence application fee		£333 – 1 year new or renewal
<b>DOG BREEDING*</b>		
*any application that involves a vet inspection will be charged the full cost of that inspection <b>in addition to</b> the licence application fee		£333 – 1 year new or renewal
<b>FIREWORK SALES</b>		
	all year sale	£538 – 1 year
<b>FIREWORK DISPENSATION</b>		
You need a dispensation from the Council to operate a firework display between the hours of 23.00 and 07.00. Dispensations are not needed for a display between 23.00 and 01.00 at New Year, Chinese New Year and Diwali or between 23.00 and 24.00 on November 5th.		
		Free – per event

<b>HYPNOTISM</b>		
	permission	£224 – per event
<b>PERFORMING ANIMALS*</b>		
*any application that involves a vet inspection will be charged the full cost of that inspection <b><u>in addition to</u></b> the licence application fee		£595 – 1 year
<b>PET SHOPS*</b>		
*any application that involves a vet inspection will be charged the full cost of that inspection <b><u>in addition to</u></b> the licence application fee		£391 – 1 year new or renewal
<b>RIDING ESTABLISHMENTS*</b>		
*any application that involves a vet inspection will be charged the full cost of that inspection <b><u>in addition to</u></b> the licence application fee		£638 – 1 year new or renewal
<b>THEATRE</b>		
	Commercial operation - capacity > 1,000	£2866 – 1 year new or temporary up to 28 days
	Commercial operation - capacity 201 - 1,000	£1432 – 1 year new or temporary up to 28 days
	Commercial operation - capacity 1 – 200	£955 – 1 year new or temporary up to 28 days
	Commercial operation - capacity > 1,000	£1911 – 1 year renewal
	Commercial operation - capacity 201 - 1,000	£955 – 1 year renewal
	Commercial operation - capacity 1 - 200	£776 – 1 year renewal
	Charitable/ Community Organisation (<200)	£118 – max 4 per year
	Street Theatre	£46 – per event/per day
	Street Theatre - <b>inc late application surcharge</b>	£56 – per event/per day
<b>THEATRE - Variation to an existing licence – see note 4</b>		
Capacity increase	Change to capacity > 1,000	£2866
	Change to capacity > 1,000- <b>inc late application surcharge</b>	£3339
	Change to capacity 201 - 1,000	£1432
	Change to capacity 201 - 1,000 - <b>inc late application surcharge</b>	£1669

	Change to capacity 1 - 200	£955
	Change to capacity 1 - 200 - <b>inc late application surcharge</b>	£1112
	Variation other than capacity increase	£118
	Live animal supplement *	£224 – per event
	* any application that involves a vet inspection will be charged the full cost of that inspection <b><u>in addition to</u></b> the licence application fee	
<b>VENISON DEALER</b>		
		£172 – 3 years
<b>ZOO</b> - *any application that involves a vet inspection will be charged the full cost of that inspection <b><u>in addition</u></b> to the licence application fee		
		£1004 – 6 years new or renewal
<b>MISCELLANEOUS FEES</b>		
CERTIFIED COPY LICENCE		£56 – per copy
DUPLICATE ID BADGE		£56 – per badge
CHANGE OF MANAGER		£106
VARIATION OF ANY CIVIC LICENCE – other than a capacity increase for a Public Entertainment or Theatre licence		£56

#### NOTES:

##### 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

##### Note 2: Public Entertainment - Amusement Devices

Amusement Devices – this includes carousels, bouncy castles, bungee jump or bungee running equipment, stalls, tents, booths or structures. They will all have either been installed or erected and therefore require safety checking ahead of members of the public having access to them. They are operated in connection with the amusement or entertainment of the public

### Note 3: Public Entertainment Variation - Capacity Increase

The fee due for an application to increase the capacity of an existing public entertainment licence will comprise of the difference between (a) the fee due for a licence with the new increased capacity and (b) the fee already paid for a licence with the original occupant capacity as per the following;

<u>example</u>	<u>£</u>
(a) fee due for a licence with a capacity of 350	1594
(b) less the fee paid for a licence with a capacity of 200	1066
	<hr/>
total fee payable for application to increase capacity	£528

### Note 4: Theatre Variation - Capacity Increase

The fee due for an application to increase the capacity of an existing theatre licence will comprise of the difference between (a) the fee due for a licence with the new increased capacity and (b) the fee already paid for a licence with the original occupant capacity, as per the following;

<u>example</u>	<u>£</u>
(a) fee due for a licence with a capacity of 350	1432
(b) less the fee paid for a licence with a capacity of 200	927
	<hr/>
total fee payable for application to increase capacity	£505

### Note 5: Public Entertainment – Free to enter events

no public entertainment licence is required for the following 'free to enter' events

- Events held by a charitable, religious, youth, sporting, community, political or similar organisation (see note 1) providing the capacity **does not exceed 500 people**
- premises used for exhibitions of art work
- premises in which live music is being provided incidentally to the main purpose or use of the premises where that main purpose or use is not as a place of public entertainment.

### Note 6: Public Entertainment – Pay to enter events with a maximum capacity of 250 people

no public entertainment licence is required for premises used for functions or events by;

- any charity, religious, community or political group or any similar non-commercial organisation

where the public pay to enter or use the any facilities for their entertainment provided the capacity **does not exceed 250 people**



# Valid – 2019/20

## TAXI & PHC LICENCE APPLICATION FEES & CHARGES

TYPE	SUB TYPE	FEE £ & DURATION
<b>TAXI</b>		
	New Licence	£673 – 1 year
	Renewal Licence (existing vehicle)	£348 – 1 year
	Renewal Licence (with variation for new vehicle)	£404 – 1 year
	New Driver (Includes one 'topographical' test)	£185 – 1 year
	Renewal driver	£112 – 1 year
	Renewal driver	£178 – 3 years
PARTNERSHIP/INCORPORATION		£673
TAXI TOPOGRAPHICAL TEST		£68 – per application
VARIATION OF LICENCE TO ALLOW FITTING OF WIFI EQUIPMENT		£57 – per application
VARIATION OF LICENCE TO ALLOW INSTALLATION OF FORWARD FACING CAMERAS		£57 – per application
VARIATION OF LICENCE TO ALLOW INSTALLATION OF SAFETY CAMERAS		£57 – per application
WHEELCHAIR EXEMPTION CERTIFICATE		£11 – for duration of licence or temporary period as determined
<b>PRIVATE HIRE</b>		
	New Licence	£560 – 1 year
	Renewal Licence (existing vehicle)	£319 – 1 year
	Renewal Licence (with variation for new vehicle)	£376 – 1 year
	New driver	£151 – 1 year
	Renewal driver	£112 – 1 year
	Renewal driver	£168 – 3 years
PARTNERSHIP/INCORPORATION		£560
REPLACEMENT PLATE		£88
REPLACEMENT PRE-BOOKED DOOR SIGN		£12 – per sticker



<b>TAXI &amp; PRIVATE HIRE</b>		
BRACKETS		£28 – per application
CANCELLATION OF INSPECTION		£106 – per cancellation
VEHICLE RETEST – second and thereafter		£54 - per retest
CHANGE OF MANAGER		£106 – per application
CHANGE OF VEHICLE - Other than at annual inspection		£168
DUPLICATE CERTIFICATE OF COMPLIANCE		No fee
DUPLICATE ID BADGE		£56 – per badge
DUPLICATE LICENCE		£56 – per licence
MEDICAL EXAMINATION NOT ATTENDED (without notice)		£106
MEDICAL EXAMINATION - FURTHER ASSESSMENT NOT ATTENDED (without notice)		£208
<b>BOOKING OFFICE</b>		
	New	£1122 – 1 year
	Renewal	£785 – 1 year
<b>MISCELLANEOUS FEES</b>		
CERTIFIED COPY LICENCE		£56 – per copy
DUPLICATE ID BADGE		£56 – per badge
CHANGE OF MANAGER		£106

# Valid – 2019/20

## HOUSE IN MULTIPLE OCCUPATION LICENCE APPLICATION FEES

HMO licence application fees are based on occupant capacity with an option of a one or three year licence as approved by the Councils Regulatory Committee on 21 April 2017

Please note:

- HMO licences in their first year may be granted for a minimum period of 6 months
- Existing licences holders applying for a second or subsequent application ('renewal') for individual properties can apply for either a one or three year licence \*

\* The grant of a three year licence will only be considered for suitable properties on a case by case basis and can be restricted to one year licence based on the following assessment criteria:

- Premises/landlords that are subject to ongoing monitoring where issues have been identified by council officers
- Premises/landlords that are subject to enforcement action
- Premises/landlords where previous complaints have been upheld
- Premises that have failed to complete remedial work, identified upon inspection, within four weeks from the first inspection date, without prior consent of the council

Number of Occupants	Fee (£) (1 or 3 year application)		
3	540		
4	720		
5	900		
6	1,130		
7	1,360		
8	1,590		
9	1,820		
10	2,050		
11	2,280		
12	2,510		
13	2,740		
14	2,970		
15	3,200		
16	3,430		
17	3,660		
18	3,890		
19	4,120		
20	4,350		
21-30	4,850		
31-40	5,350		

41-50	5,850		
51-60	6,350		
61-70	6,850		
71-80	7,350		
81-90	7,850		
91-100	8,350		
101-150	9,150		
151-200	9,950		
201-250	10,750		
251-300	11,550		
301-350	12,350		
351-400	13,150		
401-450	13,950		
451-500	14,750		
501-550	15,550		
551-600	16,350		
> 600	Increase of £800 per banding of 100		
Percentage discount available for charity registered with The Scottish Charity Regulator (OSCR) and linked to homeless and / or vulnerable adult accommodation			
Educational institutions – Property owned and managed by a charity registered with The Scottish Charity Regulator (OSCR) would be considered eligible for a 50% fee reduction			

## Appendix 2

### City of Edinburgh Licensing Services Financial Report

#### Year Ending: 31 March 2019

This report has been prepared using unaudited financial data taken for year ending 31 March 2019. It should be noted that not all expenditure is directly attributable to certain licensing categories. Where general costs have been incurred, these have been allocated to the Licensing category based on a best estimate of the expenditure incurred. The report accordingly should not be relied upon as a precise reflection of income and expenditure.

The financial statement is as follows:

	2018/19 Cab Licensing	2018/19 Civic Licensing	2018/19 HMO Licensing	2017/18 Cab Licensing	2017/18 Civic Licensing	2017/18 HMO Licensing
<b><u>Income</u><sup>1</sup></b>						
Licensing Income	-2,001,585	-959,768	-1,318,966	-1,755,790	-1,006,984	-1,583,319
Other Income	-136,089	-2,568	-1,500	-109,693	-1,591	-5,000
<b>Total</b>	<b>-2,137,674</b>	<b>-962,336</b>	<b>-1,320,466</b>	<b>-1,865,483</b>	<b>-1,008,575</b>	<b>-1,588,319</b>

<b><u>Staff Costs</u><sup>2</sup></b>						
Regulatory Services Staff	532,775	165,720	876,833	336,483	185,541	908,509
Legal Services	53,812	26,906	44,844	55,485	27,743	46,238
Administrative Support	28,295	14,148	146,269	27,094	13,547	171,618
<b>Total</b>	<b>614,883</b>	<b>206,774</b>	<b>1,067,945</b>	<b>419,062</b>	<b>226,830</b>	<b>1,126,365</b>

<b><u>Other Direct Costs</u><sup>3</sup></b>						
ICT Equipment	4,027	569	137	25,269	52	15,615

Training	0	743	0	891	849	437
Postage	6,248	2,159	6,395	6,489	2,889	1,509
Printing/Stationery/Photocopying	4,232	5,145	4,092	15,998	6,420	720
Capital funded through revenue	0	0	0	58,348	0	0
Consultant Fees	7,280	0	7,000	25,988	0	0
Medical Fees	152,959	0	0	118,250	0	0
Operational Materials	93,854	0	0	58,747	0	0
Recharges to other public bodies	0	0	48,026	0	0	59,007
Property Charges	40,464	0	0	41,132	0	0
Legal Fees	24,173	8,590	16,813	19,228	15,433	34,574
Transport	8,340	585	5,720	7,821	818	3,019
Other expenses	647,977	7,928	10,252	37,950	11,284	4,581
Internal Charges	24,441	188,882	40,733	590,884	189,359	38,119
<b>Total</b>	<b>1,013,994</b>	<b>214,600</b>	<b>139,169</b>	<b>1,006,996</b>	<b>227,105</b>	<b>157,581</b>

**Indirect Costs** <sup>4</sup>

ICT/Telecommunications	22,027	11,013	18,356	23,891	14,335	28,669
Business Support	19,346	9,673	16,122	18,444	11,066	22,133
Property	75,653	37,826	63,044	70,344	42,206	84,412
Corporate & Democratic Core	33,792	16,896	28,160	24,478	14,687	29,373
Other <sup>5</sup>	41,544	21,284	192,698	62,987	17,778	160,815

<b>Total</b>	<b>192,362</b>	<b>96,693</b>	<b>318,650</b>	<b>200,143</b>	<b>100,071</b>	<b>325,402</b>
<b>Net (Surplus)/Deficit</b>	<b>-316,435</b>	<b>-444,268</b>	<b>205,297</b>	<b>-239,282</b>	<b>-454,568</b>	<b>21,029</b>

**Notes:**

1. Denotes income from applications and annual fees received in 2018/19.
2. Denotes salary, superannuation, national insurance and pension costs associated with Legal Services/Depute Clerk, Licensing Officers, Licensing Standards Officers and other Council staff responsible for administrative support. HMO staffing costs include a share of Private Rental Sector enforcement officers. Where costs are not directly attributable to the Licensing Categories, costs have been allocated based on the proportional share of licensing applications.
3. Denotes direct budgetary costs associated with the exercise of the Licensing functions, such as travel and transport costs, stationery, supplies and services etc.
4. Denotes the portion of centralised administrative costs such as ICT, training, property costs etc. that are allocated to Licensing and PRS Enforcement. These allocations are derived from the Council's Central Support Cost model.
5. This represents a share of services such as Legal & Risk, HR, Finance, Strategy & Insight and Communications.

## Regulatory Report 2018/19

	2018/19 Outturn			2018/19 Revised Budget		
<u>Income 1</u>	Cab Licensing	Civic Licensing	HMO Licensing	Cab Licensing	Civic Licensing	HMO Licensing
Licensing Income	-2,001,585	-959,768	-1,318,966	-1,756,526	-954,061	-1,604,348
Other Income	-136,089	-2,568	-1,500	-109,693	-1,591	-5,000
<b>Total</b>	<b>-2,137,674</b>	<b>-962,336</b>	<b>-1,320,466</b>	<b>-1,866,219</b>	<b>-955,652</b>	<b>-1,609,348</b>

### Staff Costs <sup>2</sup>

Regulatory Services Staff	532,775	165,720	876,833	339,889	249,031	909,042
Legal Services	53,812	26,906	44,844	0	0	0
Administrative Support	28,295	14,148	146,269	0	0	0
<b>Total</b>	<b>614,883</b>	<b>206,774</b>	<b>1,067,945</b>	<b>339,889</b>	<b>249,031</b>	<b>909,042</b>

### Other Direct Costs <sup>3</sup>

ICT Equipment	4,027	569	137	25,269	52	15,615
Training	0	743	0	891	849	437
Postage	6,248	2,159	6,395	6,489	2,889	1,509
Printing/Stationery/Photocopying	4,232	5,145	4,092	15,998	6,420	720
Capital funded through revenue	0	0	0	58,348	0	0
Consultant Fees	7,280	0	7,000	25,988	0	0

Medical Fees	152,959	0	0	118,250	0	0
Operational Materials	93,854	0	0	58,747	0	0
Recharges to other public bodies	0	0	48,026	0	0	59,007
Property Charges	40,464	0	0	41,132	0	0
Legal Fees	24,173	8,590	16,813	19,228	15,433	34,574
Transport	8,340	585	5,720	7,821	818	3,019
Other expenses	647,977	7,928	10,252	628,834	11,359	4,599
Internal Charges	24,441	188,882	40,733	0	189,359	38,119
<b>Total</b>	<b>1,013,995</b>	<b>214,600</b>	<b>139,169</b>	<b>1,006,995</b>	<b>227,179</b>	<b>157,599</b>
<b><u>Indirect Costs</u></b> <sup>4</sup>						
ICT/Telecommunications	22,027	11,013	18,356	0	0	0
Business Support	19,346	9,673	16,122	0	0	0
Property	75,653	37,826	63,044	0	0	0
Corporate & Democratic Core	33,792	16,896	28,160	0	0	0
Other	41,544	21,284	192,968	0	0	0
<b>Total</b>	<b>192,362</b>	<b>96,693</b>	<b>318,650</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net (Surplus)/Deficit</b>	<b>-316,435</b>	<b>-444,268</b>	<b>205,297</b>	<b>-519,335</b>	<b>-479,442</b>	<b>-542,707</b>



Appendix 3

2018/19 Regulatory - Reserves

Service	2018/19 Starting position	2018/19 Interest	Final reserves balance
Cab licensing - Payment to reserves - 9805 89803	-316,434.47	-2,719.03	-858,910.43
HMO licensing - Drawdown from reserves - 9805 89811	205,296.69	-7,162.55	-1,223,706.91

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# Regulatory Committee

10.00am, Thursday, 9 January 2020

## Taxi Stance Appointment – St. Andrew Square

Executive/routine

Wards

11 – City Centre

Council Commitments

### 1. Recommendations

---

- 1.1 It is recommended that the Regulatory Committee:
  - 1.1.1 notes the content of this report;
  - 1.1.2 notes that officers will carry out statutory consultation on the proposed taxi stance; and
  - 1.1.3 notes that a report will be brought back for a decision after the conclusion of statutory consultation.

**Paul Lawrence**

Executive Director of Place

Contact: Andrew Mitchell, Regulatory Services Manager

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## Taxi Stance Appointment – St. Andrew Square

### 2. Executive Summary

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- 2.1 The committee is asked to note that, in order to satisfy the first of the two part process of appointing a taxi stance, the Roads Authority has implemented a Traffic Regulation Order to facilitate the appointment of an authorised taxi stance on the south side of St. Andrew Square ([Appendix 1](#)).
- 2.2 In order to satisfy the second part of this two stage appointment process, the Directorate seeks permission to carry out the statutory consultation required prior to formally appointing 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 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 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 may also be required to be created by way of Traffic Regulation Orders (TRO). This is separate from the requirements of the 1982 Act, falling within the remit of the Council as the Roads Authority (as opposed to as the Licensing Authority). The appointment of stances is therefore subject to a dual process. Parking restrictions on and around taxi stances are facilitated by a TRO. A process map is included at [Appendix 2](#) for the information of members.
- 3.4 The Directorate has undertaken consultation with taxi trade representatives through the Taxi Stance Working Group. This is a working group of stakeholders made up of officers from the Council's Regulatory and Road network teams and taxi trade representatives. In addition, where required, additional invitees attend to discuss specific items of interest (e.g. officers from Trams, Lothian Buses etc.).

## **4. Main report**

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- 4.1 During significant building and development work at St Andrew Square and surrounding areas in recent years, the need for a taxi stance in the vicinity was recognised and a suitable location was identified as the south side of St Andrew Square, immediately adjacent to the Ivy Restaurant.
- 4.2 There is currently a temporary taxi stance at the proposed locus. A taxi stance was included in the wider development plans and the Roads Authority now seeks to ensure that the taxi stance is approved, correctly marked and identified.
- 4.3 This proposal seeks to regulate the situation by appointing this as an authorised stance in line with the requirements of the Civic Government (Scotland) Act 1982. Officers from the Roads Services team have discussed these proposals with taxi trade representatives through the Taxi Stance working group as part of the initial consultation. Trade members have indicated that they are supportive of the proposal and would support appropriate enforcement of the stance.
- 4.4 Current plans include provision for:
  - 4.4.1 A 10 bay stance to be located on the south side of St Andrew Square from the junction with South St David Street heading in an easterly direction towards South St Andrew Street for 34 metres, terminating immediately adjacent to 4 St Andrew Square (Gaucho restaurant).
  - 4.4.2 No changes to existing disabled parking and loading bays on the south side of St Andrew Square.

## **5. Next Steps**

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- 5.1 If the committee agrees to approve these proposals in principle, the Directorate will undertake its statutory obligations as detailed in 3.2 above and will also undertake the proposed additional engagement actions detailed in section 7 below.
- 5.2 The outcome of these actions and any consultation responses received will be reported back to the committee at the next available meeting, upon conclusion of the 28 day notification period.

## **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 Initial consultation has been carried out with the trade as detailed in paragraph 4.3. In addition to its statutory obligations of notification and consultation, the Licensing

Authority will also undertake to inform the public and community, relevant partners and agencies including:

7.1.1 Ward 11 councillors;

7.1.2 Community Council representatives.

- 7.2 The publication of the statutory advertisement will allow consultation to take place with the wider business and residential community, relevant partners and agencies.
- 7.3 In January 2018 Roads Services undertook the relevant actions to introduce the required TRO, which included public notification and allowing for an objection period.
- 7.4 There was a total of six objections to the TRO, with one concerning loss of residential parking bays across the city and which was not in direct objection to the relevant TRO. The remaining five objections related to the original proposal to remove motorcycle parking bays. As a result of the objections the motorcycle parking bays were retained, which satisfied five of the six objections. The remaining objection was considered, and analysis of the residential zoning parking bays in the city centre over a 10 year period identified that parking provision has increased in that time
- 7.5 As a result, this objection was set aside and the TRO was approved under delegated authority, in line with the decision of the City of Edinburgh Council at its meeting on 13 December 2018 which allows for orders to be made under delegated authority if there are not more than six objections.
- 7.6 In the event that the proposed taxi stance is appointed, Roads Services will ensure that as part of follow up actions to implement the stance (e.g. laying of road markings, erection of appropriate signage etc.).

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

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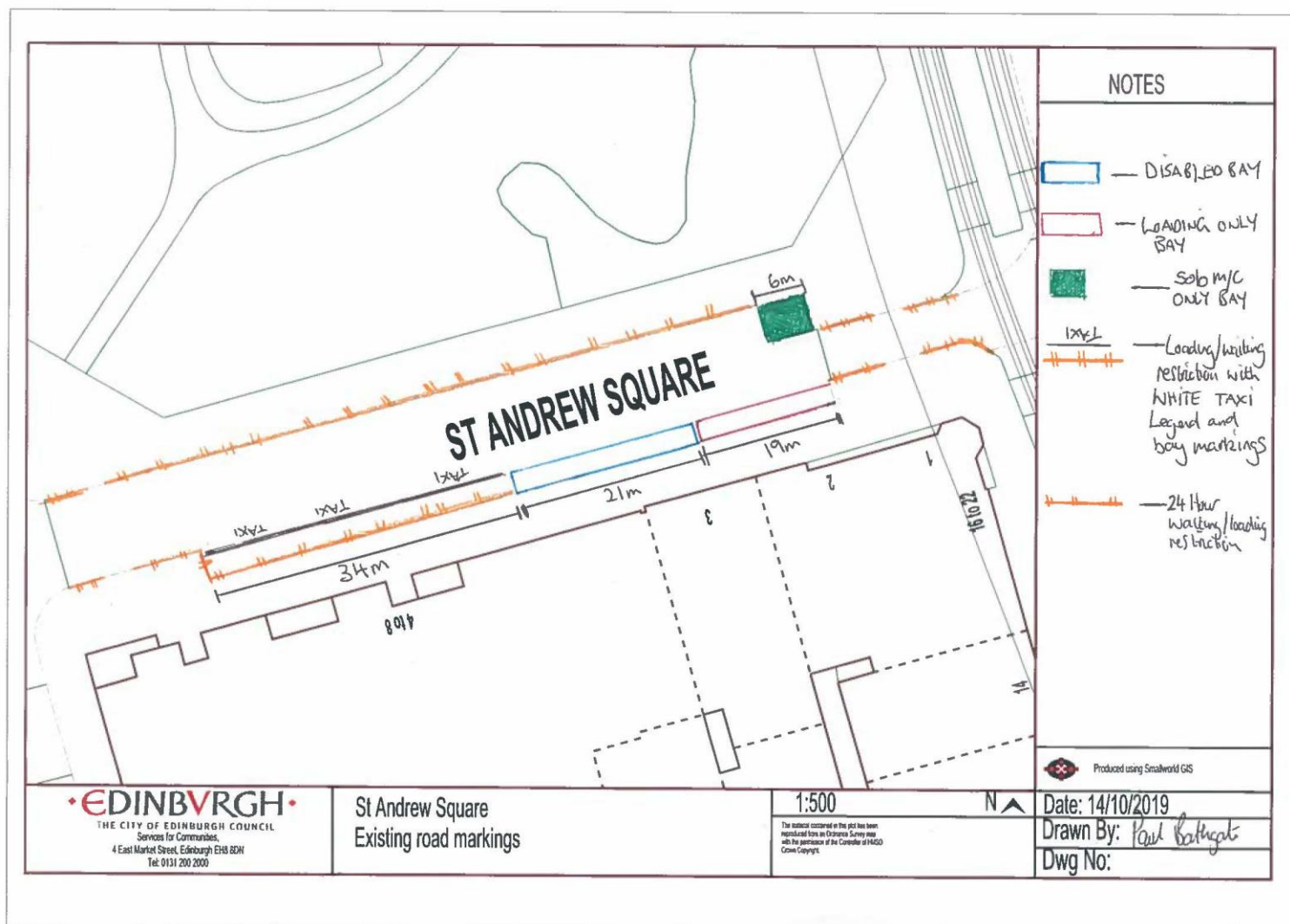
- 8.1 None.

## **9. Appendices**

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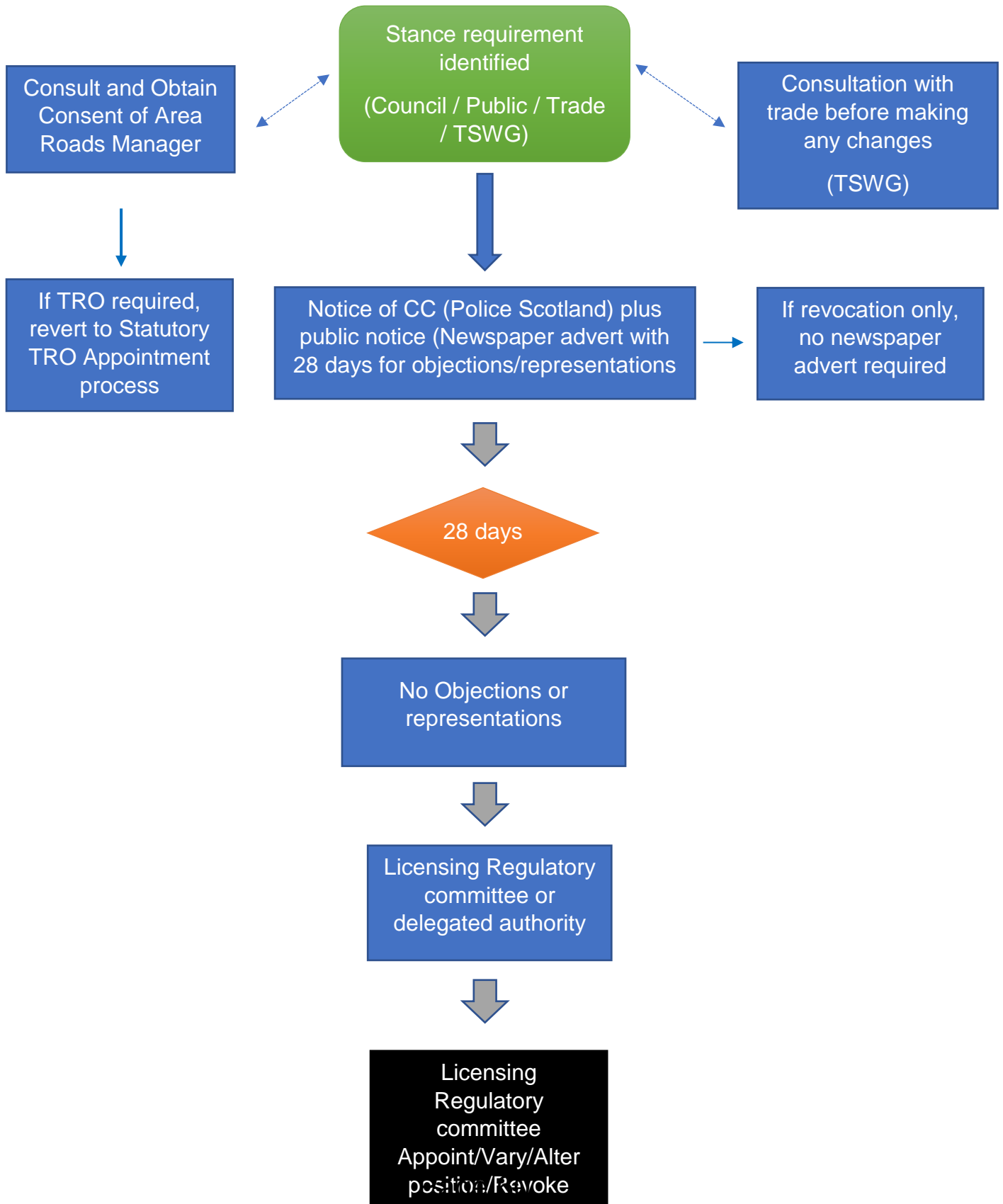
- 9.1 Appendix 1 – proposed plan of taxi stance at St. Andrew Square.
- 9.2 Appendix 2 – Taxi stance appointment process flowchart

# Appendix 1 - proposed plan of the taxi stance at St Andrew Square



## Appendix 2 – Stance appointment procedure

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





## Regulatory Committee

10.00am, Thursday, 9 January 2020

### Taxi Stance Appointment – East Market Street

Executive/routine	
Wards	11
Council Commitments	

#### 1. Recommendations

---

- 1.1 It is recommended that the Regulatory Committee:
  - 1.1.1 Notes the content of this report;
  - 1.1.2 Notes that various construction projects, safety concerns around vehicle movements, the existing road layout, loading requirements for existing businesses and passenger drop offs to Waverley Station, all limit the available options for the placement of a taxi rank;
  - 1.1.3 Notes that this proposal is for a temporary relocation. Further planning is required and will be taken forward by the City Centre Transformation projects and the Waverley Station Masterplan; and
  - 1.1.4 Appoints the taxi rank at East Market Street under Section 19 of The Civic Government (Scotland) Act 1982 ('the 1982 Act').

**Paul Lawrence**

Executive Director of Place

Contact: Andrew Mitchell, Regulatory Services Manager

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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 appoint a taxi rank on East Market Street. The proposed location is submitted for approval for a temporary period, and the Directorate is committed to considering options to relocate the taxi stance at such a time when a more suitable location for the taxi stance is identified, as part of the Waverley Station Masterplan.
- 2.2 As a result of planned construction works on Market Street for the Fruitmarket Gallery (due to commence in January 2020) and other safety considerations, the current location of the temporary taxi stance is no longer suitable. It is necessary to relocate the taxi stance whilst maintaining suitable and proportionate taxi provision for Waverley Station and surrounding areas.

### 3. Background

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- 3.1 In September 2013, at the direction of the land owner National Rail, all unauthorised vehicles access to Waverley Station was removed, with the exception of service vehicles and a limited number of taxis. In January 2014 taxis were also removed from within Waverley Station. As a consequence, the Council created a space for a taxi stance on Market Street under North Bridge.
- 3.2 The original proposal within this project was to locate the taxi stance outside the Fruitmarket Gallery and the former night club 'Electric Circus' (properties 24-45 Market Street). However, following statutory consultation by the Roads authority with businesses in the vicinity a number of objections were raised including:
  - 3.2.1 narrow footway widths; and
  - 3.2.2 passengers queuing in front of premises resulting in obstructed access to fire exits and space required for loading.
- 3.3 As a result of these concerns, the taxi stance was relocated closer to the Market Street/Jeffrey Street junction, underneath North Bridge.
- 3.4 In 2017 a survey identified structural concerns with the Market Street Bridge and a wall that runs easterly along the boundary of Market Street and Waverley Station Car park. Due to these concerns, to protect the safety of the public, it was

necessary to move the taxi stance to its current position on Market Street. In addition, barriers were required to be erected to segregate the carriageway from the footpath to minimise further risk to both structures.

## 4. Main report

---

- 4.1 The Directorate has carried out the statutory consultation on the proposed appointment of a taxi stance at the locations in East Market Street east of Jeffrey St. The committee instructed that further work should be carried out and this report responds to the issues raised by the committee.

### **Current Taxi Stance, Market Street – Existing Road Layout and Construction**

- 4.2 There are a number of construction projects and works ongoing in the vicinity of Market Street which have a significant impact on the road layout. There are currently four separate construction projects on Market Street. A map of these projects is provided at Appendix 2.
- 4.2.1 **North Bridge Structural Repairs Project** - this project required scaffolding to be erected on the south footway of Market Street and on the Waverley car park carriageway. This scaffolding is likely to remain in place for the duration of the project works. The project's plans currently identify the necessity for use of mobile cranes which will result in a temporary road closure, managed by temporary traffic lights restricting the flow of traffic to single lane for a significant length of the carriageway. This work is estimated to be complete in 2021.
- 4.2.2 **Market Street Bridge and Wall Repairs** – initial structural concerns around the bridge structure have now been resolved, however the boundary wall remains a risk. A risk assessment is due to be carried out in December 2019 to identify what, if any, alternative measures, can be engaged to reduce these risks and an update will be provided to the committee verbally. The current barriers segregating the carriageway and footpath must remain in place until the completion of these works. At this time it is unknown when these works will be complete.
- 4.2.3 **Doric Roof Refurbishment** - scaffolding is currently erected on the footway of Market Street and a hoist is occupying part of the carriageway. These works are projected to be complete in September 2020.
- 4.2.4 **Market Street Hotel** – whilst the main building works on this site are complete, remedial works are required to lift and relay large areas of the footway and a mobile crane is required to replace a number of windows. This is likely to require temporary traffic lights and some localised footway closures. These works are projected to be carried out in January 2020.
- 4.3 In addition to the ongoing construction works, it is necessary to also manage the day-to-day loading needs of local businesses. Passenger pick-up and drop-off for Waverley Station including the operation of the taxi rank, the high volume of

vehicles and at times large vehicles requiring access to Market Street has created significant congestion. This has resulted in vehicles double parking, stopping on pedestrian crossings and parking on the footways, and a high number of vehicles carrying out dangerous U-turns in a heavily congested area.

- 4.4 Following the removal of all vehicles from Waverley Station, it was estimated that to manage the loading requirements and passenger drop offs around 110m of space would be required. Due to the works described above there is currently only 55m of loading/drop off space available on Market Street. Further assessment of these figures will need to be carried out should there be any additional works or changes to this area.

#### **Current Taxi Stance – Safety Issues**

- 4.5 Having set out the issues concerning the road layout and ongoing construction in the Market Street area at 4.2 to 4.4 above, the next issue is the operation of the existing taxi stance. As reported to committee previously, at present the taxi rank in its current location causes a number of safety issues.

4.5.1 Over-ranking by taxis, which leads to taxis queuing on the south side of the carriageway and often double parking whilst waiting to get into the taxi rank. This results in congestion and often leads to vehicles attempting dangerous overtaking manoeuvres to get past the stopped vehicles. All data available to the Council regarding collisions on Market Street is included at Appendix 8.

4.5.2 U-turning to get in and out of the taxi rank.

4.5.3 Double parking to drop off/pick up passengers.

- 4.6 There is also very heavy pedestrian use of the narrow footways on Market Street, in particular outside the Fruitmarket Gallery, which creates congestion for pedestrians and blocking entrances and fire exits of the current businesses. Photographs illustrating these issues are attached at Appendix 3.

- 4.7 Due to the proximity of Waverley Station, a constant flow of taxis is required throughout the day to meet demand. It has been identified from demand surveys that at certain times taxis can wait between nine and 18 minutes before picking up a passenger. Roads officers have also identified up to 32 taxis queuing at this location for a rank that should hold 10 taxis. Recent results of the taxi demand survey have been reported to the committee and are included at Appendix 4.

- 4.8 The Licensing Service has received a letter from Police Scotland raising safety concerns about the current location of the taxi stance on Market Street (Appendix 5).

#### **Additional planned Fruitmarket Gallery Construction Works**

- 4.9 In addition to the existing construction works detailed above and issues with the current taxi stance the Council is aware that further works will shortly commence.

A meeting was held on 24 October 2019 with Clark Contracts following their appointment to carry out the refurbishment of the Fruitmarket Gallery. This meeting was arranged to discuss their access requirements to Market Street and the

subsequent impact on the vicinity in order to ensure that works could be undertaken in a safe and efficient manner to minimise the disruption to the local area, businesses and pedestrians.

- 4.10 The initial works will require several skips to be placed on the carriageway to allow for the removal of all the internal flooring and fixtures of the previous occupants.
- 4.11 The existing loading bay directly outside the gallery can be used for some of this work and the current works management plan proposes to permit the skip to be in situ between 05:00hrs and 07:30hrs. This is necessary to minimise the risk and disruption to pedestrians and to the road network. A detailed layout plan is included on Appendix 6
- 4.12 Work is ongoing to develop detailed plans for future phases of this work and it is estimated that this will take approximately eight months to complete. In order to complete the works, it has been identified that it will need:
  - 4.12.1.1 Space at the location to store materials.
  - 4.12.1.2 Mobile cranes to lift steel work into the building and to carry out work on the roof, requiring a road closure or temporary traffic lights.
  - 4.12.1.3 Footway closures to remove the existing glazing and to install new glazing.
  - 4.12.1.4 Potential new utility connections, requiring excavations of the carriageway which will likely require temporary traffic lights.
- 4.13 The works described above are all likely to need to occupy the space that is currently occupied by taxis. This has increased the need to relocate the existing taxi stance.

#### **Proposed Taxi Stance – East Market Street**

- 4.14 A 10 vehicle taxi stance is proposed on the south side of East Market Street at the junction of Jeffrey Street, as shown in Appendix 2. The taxi rank will be 110m away from the Market Street entrance to Waverley Station. This location will remove a high proportion of the vehicle conflict currently experienced on Market Street and will improve the space available for passenger drop-offs and loading for businesses. To provide some comparative data, a table is provided at Appendix 3 with a projection of the impact of the proposed fare increases, if accepted by the committee.
- 4.15 The volume of traffic on the relevant section of East Market Street is lower than on Market Street and Jeffrey Street, and it is hoped that the proposed relocation will reduce vehicle conflict faced by taxi drivers when trying to access the rank.
- 4.16 In order to improve pedestrian access to the taxi rank, a footway build out with dropped kerbs has been built, which increases sight lines and reduces the width of the relevant length of carriageway to 6.5m.
- 4.17 If the proposal is agreed, directional signage will also be installed directly outside Waverley Station indicating the distance to the East Market Street rank. A sign will also be installed directly beside the new rank, which will be visible from the

Waverley Station entrance. Example signage is included at Appendix 7. Signage within Waverley Station on approach to the Market Street exit will also be updated to direct passengers to East Market Street.

### **Passengers requiring assistance with access**

- 4.18 It is recognised that the proposal to create a taxi rank on East Market Street does move the rank an additional 60m away, which may cause difficulties for passengers with disabilities, elderly people and passengers carrying heavy luggage. However, no other suitable location has been identified in the vicinity of Waverley Station.
- 4.19 Passengers requiring additional assistance are encouraged to contact Network Rail's Passenger Assistance team when in Waverley Station, as a dedicated disabled access taxi stance is located on Calton Road.
- 4.20 Members are asked to note that passengers booking assistance with rail companies are directed to the alternative passenger pick-up and drop off points around Waverley station. These are available at Calton Road, Waverley Station car park and Waverley Bridge. Space for drop off will be available on Market Street where the current taxi stance is located. All of these locations are accessible by use of lifts within Waverley Station, and are supported by the rail operators.
- 4.21 It should also be noted that future proposals are currently being developed as part of the Waverley Station Masterplan and the City Centre Transformation Project. Both projects will develop plans to improve access around Waverley Station. The current proposal to relocate the taxi rank is a temporary measure until such projects can be delivered.

### **Alternative Locations Considered**

- 4.22 The committee also asked for information about alternative locations for Taxi Stances and where these had been ruled out information as to why.
  - 4.22.1 Under North Bridge – This area was used from 2014 to 2017, however serious safety risks were caused by taxi drivers stacking on both sides of the road and blocking the junction of Jeffrey Street. It also caused conflict with other vehicles trying to load or pick up/drop off - see Appendix 3 for photographs highlighting these issues. This was therefore not considered suitable for this purpose.
  - 4.22.2 Waverley Car Park – Network Rail previously developed proposals to create a large taxi rank within the car park, however due to the scaffolding currently required for the North Bridge repair project the project has been put on hold until the work is complete.  
  
Jeffrey Street – This was ruled out because of the narrow carriageway and vehicle access requirements into properties. In addition it is not considered an appropriate location given the steep incline of the carriageway, which would present significant difficulties with loading, in particular for passengers using wheelchairs. Finally, the narrow footpath would create dangerous congestion and potential for overspill onto the carriageway on a busy junction.

- 4.22.3 Calton Road – This location was trialled in 2014 when taxis were first removed from the station, however it was not a popular option for taxi drivers due to the limited routes to other parts of the city and low footfall of passengers using that entrance.
- 4.22.4 Cockburn Street – This location was ruled out due to the distance being further from Waverley Station than the proposed taxi stance. Additionally, it is not considered an appropriate location given the steep incline of the carriageway which would present significant difficulties with loading, in particular for passengers using wheelchairs.
- 4.22.5 Waverley Bridge - There is no scope to increase the current size of the stance on Waverley Bridge. Additionally there is no lifts to assist passengers to access the rank on Waverley Bridge.
- 4.23 Junction improvements at East Market Street and Jeffrey Street will be developed further, with the potential to install controlled crossings. However, this will be dependent on the results of safety audits and the identification of further resources.

## **5. Next Steps**

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- 5.1 If the committee agrees to appoint the taxi rank, officers will undertake the necessary works at the locus to install line markings and appropriate signage for the new taxi rank.
- 5.2 Further contact will be made with the taxi trade and Network Rail to inform them of the date on which the new rank will become operational.
- 5.3 The Directorate recognises the importance of ensuring that all available measures are considered to improve the safety of its Roads network. Further assessment and design work will be reviewed to improve the crossings at the junction of Market Street and Jeffrey Street.
- 5.4 If the committee does not agree to appoint the taxi rank, the Directorate may be required to consider appropriate steps to ensure public safety. This will include the protection of pedestrians and road users from the potential dangers of the works required in the vicinity of the current Market Street taxi stance, as detailed in section 4. This may necessitate the relocation of the taxi stance. Given that the extensive review of the area undertaken by the Directorate has not identified any alternative location, East Market Street may have to be used temporarily as a non-appointed stance under a Temporary Traffic Regulation Order (TTRO).

## **6. Financial impact**

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- 6.1 The costs associated with the line marking and signage required to create the new taxi rank will be managed within the existing roads revenue budget.

## 7. Stakeholder/Community Impact

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- 7.1 In addition to the statutory obligations to notify Police Scotland and public consultation by newspaper advert, as instructed by the committee a wide-reaching notification took place. This included:
- Businesses on East Market St and Market St – hand delivered letter.
  - Police Scotland – by email on 20 September and 17 December 2019.
  - Administrators of the Taxi Card Scheme – by email.
  - Edinburgh Access Panel – by email on 20 September and 17 December 2019. (and by letter on 17 December 2019).
  - City Centre Ward Cllrs – by email on 20 September and 17 December 2019.
  - Community Councils – by email on 20 September and 17 December 2019.
  - Taxi Trade reps – by email on 20 September and 17 December 2019.
  - Network Rail – by email on 20 September and 17 December 2019.
  - Notice on display at Taxi Examination Centre – from 20 September 2019.
  - Detailed proposals discussed at the Taxi Working Group on 16 July 2019
- 7.2 A consultation was hosted on the Council's public consultation hub between 17 September 2019 and 15 October 2019. Responses to the consultation can be found at Appendix 8.
- 7.3 Further briefing notes and one to one meetings are to be held with local Councillors and committee members in December 2019.

## 8. Background reading/external references

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- 8.1 [Civic Government \(Scotland\) Act 1982](#)
- 8.2 [Road Traffic Regulation Act 1984](#)
- 8.3 Further information on Network Rail's Passenger Assistance guidance for Waverley Station can be found at:
- [For a Helping Hand When Travelling by Train](#)
- [Edinburgh Waverley Station information](#)
- 8.4 Previous committee reports:
- 8.4.1 [Taxi Stance Appointment – East Market Street report](#) to Regulatory Committee on 21 October 2019
- 8.4.2 [Taxi Stance Appointment – East Market Street report](#) to Regulatory Committee on 18 August 2019
- 8.4.3 [Demand for Taxis: Six Monthly update report](#) to Regulatory Committee on 21 August 2017



## 9. Appendices

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- 9.1 Appendix 1 – Amendment by Conservative Group, Taxi Stance Appointment – East Market Street.
- 9.2 Appendix 2 – Proposed plan, showing location of new rank and existing works on Market Street.
- 9.3 Appendix 3 – Photographs showing issues caused by current and previous taxi rank layouts.
- 9.4 Appendix 4 – Police Scotland Comments
- 9.5 Appendix 5 – Proposed skip location – Clark Contracts
- 9.6 Appendix 6 – Proposed taxi rank signage
- 9.7 Appendix 7 – Responses to taxi rank feedback
- 9.8 Appendix 8 - Data regarding collisions on Market Street
- 9.9 Appendix 9 – Responses from Stakeholder/Community engagement

## Amendment by the Conservative Group

**Regulatory Committee**

**21 October 2019**

**Item 7.2 – Taxi Stance Appointment – East Market Street**

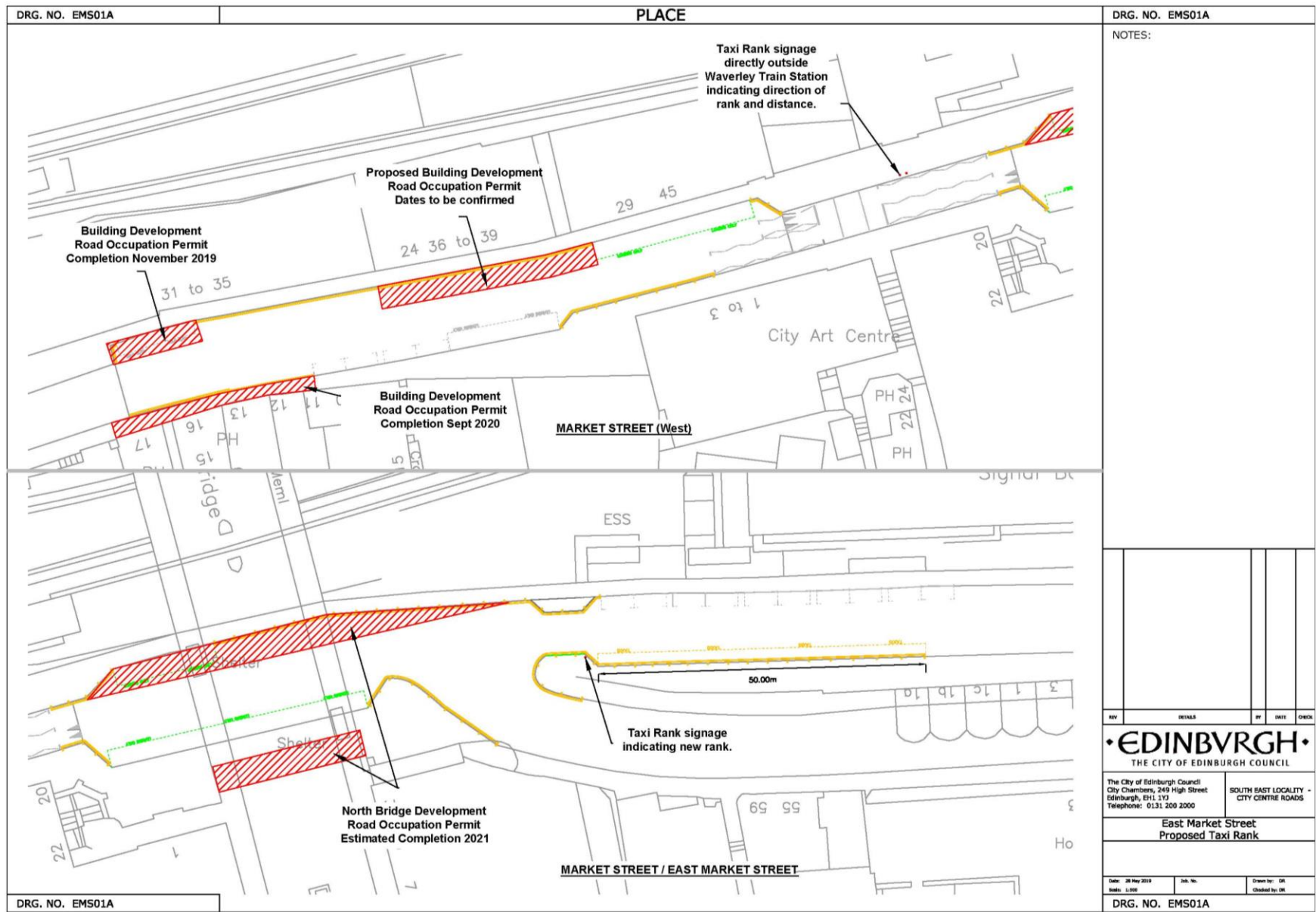
Committee:

**Deletes recommendation 1.1.4 and adds**

- 1.1.4 Notes the proposed new rank requires intending taxi passengers to walk twice as far as at present from the station entrance.
- 1.1.5 Notes intending taxi passengers will be required to cross Market Street/East Market Street and, in some cases Jeffrey Street whereas at present they can access taxis without crossing a road.
- 1.1.6 Notes the report contains no disabilities assessment.
- 1.1.7 Notes the report contains no detail of the precise location, duration, impact and access requirements of the building operations referred to in paragraph 4.1.
- 1.1.8 Notes the report contains no collision or casualty data.
- 1.1.9 Notes the report contains no detailed analysis of reasons for removing the current temporary traffic rank in relation to the alternatives.
- 1.1.10 Notes the report contains no exploration of other options considered such as making better use of the area under Waverley Bridge or the south side of Market Street.
- 1.1.11 Notes the overwhelming rejection of the proposals by respondents to the consultation.
- 1.1.12 Instructs the report be brought back as soon as possible with an evaluation of points noted in 1.1.4 to 1.1.10.

**Moved by** Councillor Cameron Rose

**Seconded by** Councillor Max Mitchell



Market Street Taxi Rank Issues

Market Street Taxi Rank – Under North Bridge





## Market Street Taxi Rank Issues



## Market Street Taxi Rank Issues





## Market Street Taxi Rank Issues

### Market Street Taxi Rank – Fruitmarket Gallery



## Market Street Taxi Rank Issues





6 November 2019

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



**POLICE  
SCOTLAND**

Taxi Examination Centre  
33 Murrayburn Road  
EDINBURGH  
EH14 2TF

Dear Sir/Madam,

**TAXI RANK, MARKET STREET, EDINBURGH**

The location of the Taxi rank situated at Market Street, Edinburgh has caused long standing issues, particularly relating to vehicular and passenger congestion.

The rank is situated outside the southern exit to Waverley Train Station, causing heavy pedestrian congestion on the footpath at times of peak demand.

Due to its proximity to the station, it presents clear financial opportunities for Taxi Drivers who over-rank on the opposite side of the road in order to filter onto the rank when a space becomes available. This behaviour, as well as breaching their conditions of licence, causes significant traffic congestion and public safety concerns. Despite routing enforcement by Police Scotland Road Policing, drivers continue to over-rank on a daily basis.

In view of the foregoing, I would be supportive of the City of Edinburgh Council's proposal to re-site the rank to a more suitable location.

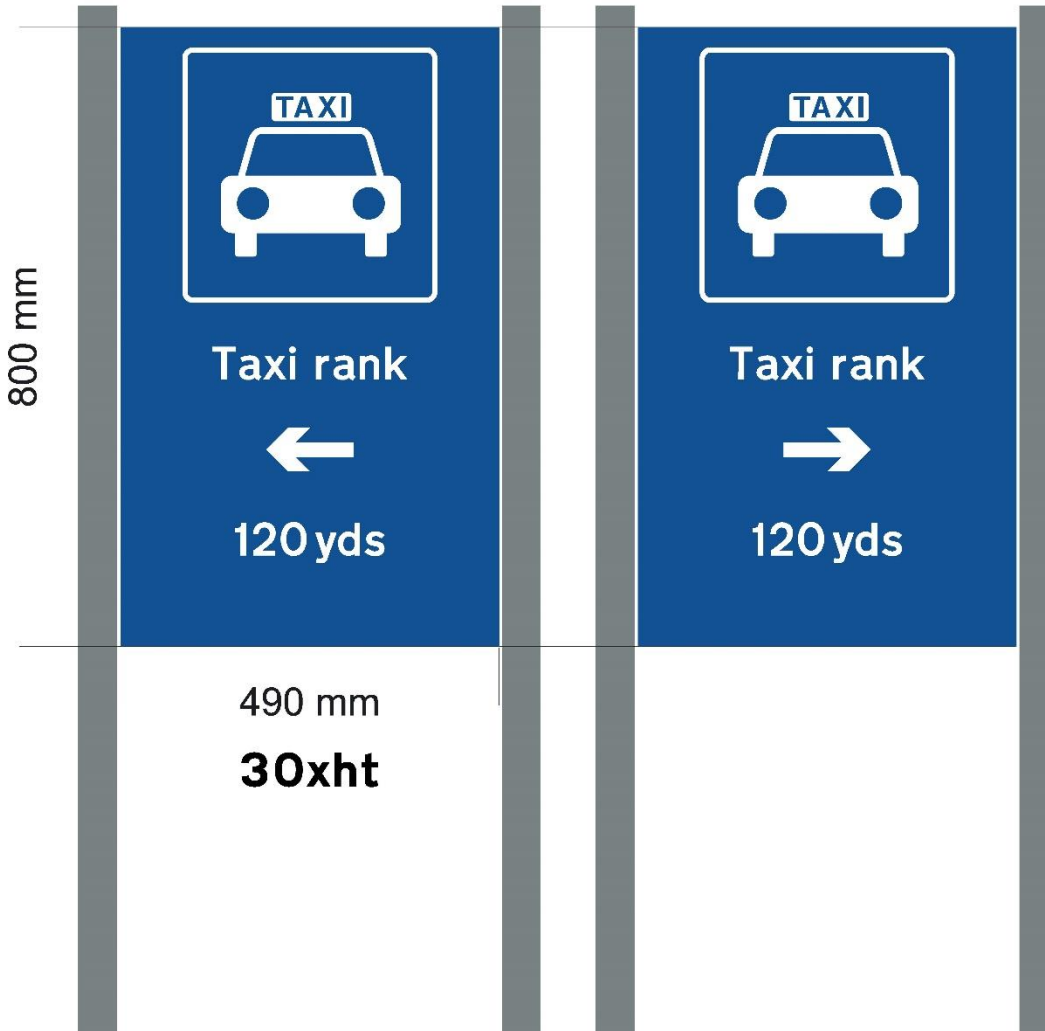
Yours faithfully

Sean Scott  
Chief Superintendent



**SIGN 1  
IN FRAME  
DOUBLE SIDED**

Page 79



**SIGN 2  
2 REQUIRED  
BACK TO BACK**



## Locality Roads Team Responses to Consultation Feedback:

### Distance from the station

The current temporary rank is currently 50m west of the station entrance, however due to the current and future construction works on Market Street (appendix 2) it is not possible to retain the taxi rank at its current location. Therefore, the only alternative location is on East Market Street which is 110m away.

### Disabled and elderly users

By relocating the taxi rank onto East Market Street, this will free up space on Market Street for taxis and cars to drop off closer to the station. This will be an improvement to the current set up as the area is heavily congested with construction work, delivery vehicles and taxis waiting to access the taxi rank. This causes issues with vehicles double parking and causing obstructions on the road.

Unfortunately, this proposal does move the rank an additional 60m, however there are alternative pick up points that are compliant with the Disability Discrimination Act:

- Waverley Station Car park
  - Area accessible via lifts
  - 40mins free access to all users
  - 16 disabled bays
- Calton Road
  - Area accessible via lifts
  - Sheltered waiting area
- Market Street
  - By using the areas with double yellow lines and loading bays this will allow for the public to be picked up via car or private hire

### Crossing the road

A new footway build out, with drop kerbs has been installed to improve pedestrian access to the proposed taxi rank. This has improved sight lines and has reduced the carriageway width so that pedestrians have a shorter distance to cross over the carriageway.

The Locality Roads Team are also currently discussing options to install a controlled crossing at the same location, however these are at a very early stage.

## **Signage**

Two new advisory signs will be installed on the public road, informing pedestrians of the distance and direction of the taxi rank appendix 6. The existing directional sign within Waverley Station will be amended to point towards the new taxi rank.

## **Alternative Locations**

Since 2012 several options for a permanent rank have been trialled, this includes

- The North side of Market Street under Waverley Bridge
- The North side of Market Street next to the Fruitmarket Gallery (current location)
- East Market Street at Jeffrey Street (Proposed location) – This was used for short durations during construction works and for some Events.

Due to the current construction works as shown on appendix 2, it is not possible to retain the existing taxi temporary taxi rank whilst these works are being carried out, as there is no space to accommodate a 10 bay rank.

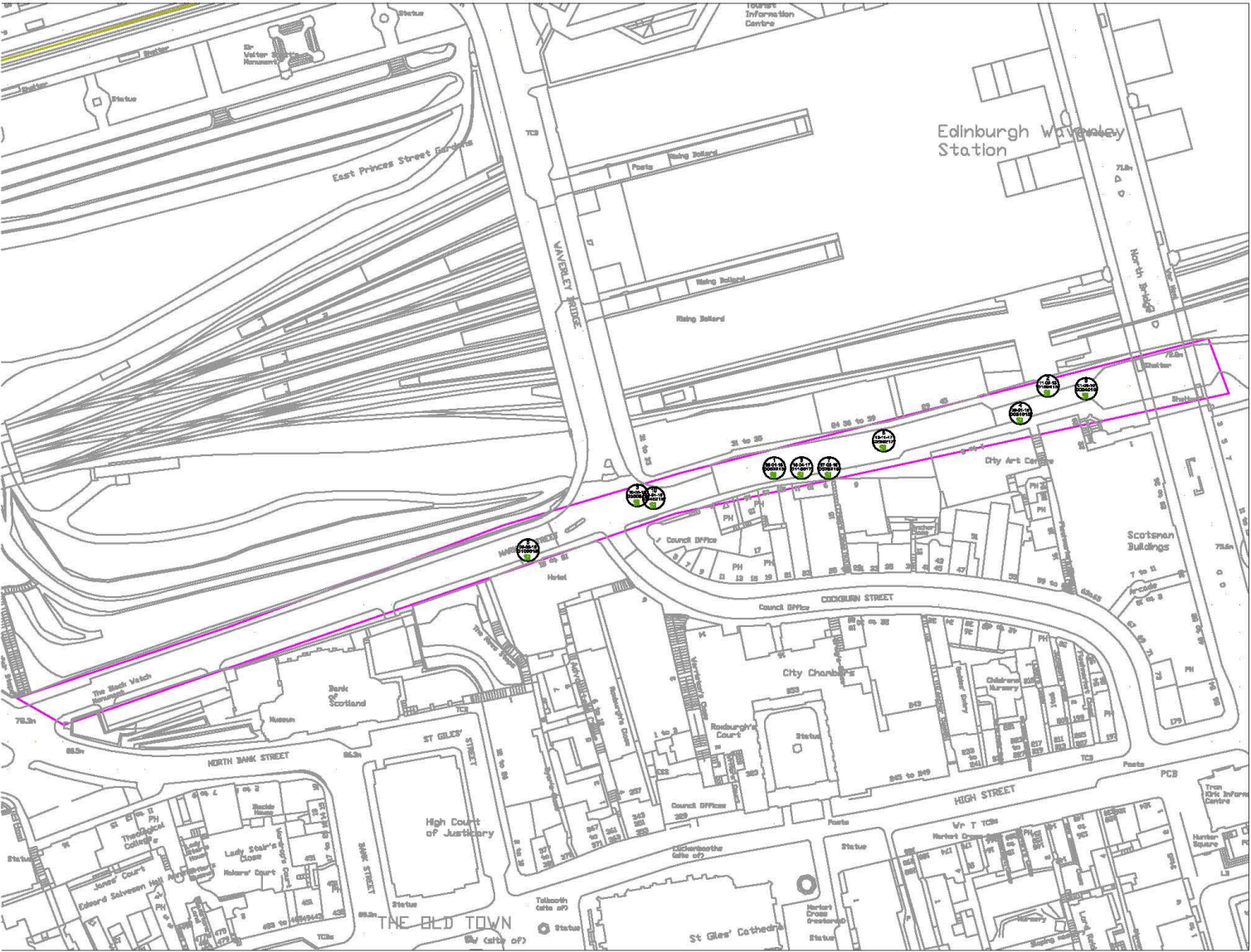
Once the works are complete a further review will be required to see what alternative options are available. This will also need to take into consideration the proposals for the George Street to Meadows Cycle Project, the East End of Princes Street Cycle Project, City Centre Transformation and the Waverley Station Masterplan as these will significantly change how people access Waverley Station.

## **Shelter from the adverse weather**

At present the City of Edinburgh Council does not provide shelters at taxi ranks.



Appendix 8



Date: 05-December-2019

Time: 11:50:14

Title:

Requested output:**D - Print Crash Report**

Date: 05-December-2019

Accident Date BETWEEN '01-Jan-2013' AND '30-Jun-2019'

There were 10 reported crashes resulting in injury

# D-PRINT CRASH REPORT

5-Dec-2019  
11:50:13

Accident Date BETWEEN '01-Jan-2013' AND '30-Jun-2019'

No	Location	Severity	Date	Day	Time	Street Lighting	Road Surface	Weather	Pedestrian Direction	Factors	Involved
1	Road No U Section Grid 325760E Ref 673750N	SLIGHT	29/01/2013	3	20:25	L	Dry	Fine	0		P/C
	MARKET STREET 60 METRES EAST OF THE JUNCTION WITH WAVERLEY BRIDGE EDINBURGH 325760E 673750N								Edinburgh, City of		
	As received on 27/09/20137458 - RECEIVED BY PDA - VEH 1 TRAVELLING WEST TO EAST. VEH 2 PARKED STATIONARY AND UNATTENDED. RIDER OF VEH 1 INTOXICATED AND DRIVING INTO THE REAR OF VEH 2 CAUSING DAMAGE AND INJURY AS STATED.						Veh1, pedal cycle, P -> P Veh2, car, P -> P			Casualties 1 Vehicles 2	
2	Road No U Section Grid 325860E Ref 673780N	SLIGHT	11/03/2013	2	11:25	L	Dry	Snow	S	S.VEH	
	EAST MARKET STREET 20 METRES WEST OF ITS JUNCTION WITH JEFFREY STREET EDINBURGH 325860E 673780N								Edinburgh, City of		PED
	As received on 06/11/201371428 - RECEIVED BY PDA - VEH 1 TRAVELLING EASTWARDS ON EAST MARKET STREET, NIP PEDESTRIAN EXITING FROM RAILWAY STATION AND APPROACHING ROADWAY WITH VIEW TO CROSSING, NIP FAILING TO OBSERVE VEH 1 PASSING THROUGH PEDESTRIAN CROSSING AND NIP STEPPING ONTO ROADWAY INTO PATHWAY OF VEH 1, FRONT OF VEH 1 THEREAFTER COLLIDING WITH NIP AND NIP FALLING TO THE GROUND, CAUSING INJURIES AS STATED						Veh1, car, P -> P			Casualties 1 Vehicles 1	

## Key Involved

PED Pedestrian  
HGV Heavy Goods Vehicle  
GV Goods Vehicle  
M/C Motor Cycle  
P/C Pedal Cycle  
PSV Bus/Coach

## Street Lighting

L Daylight  
STL Street Lights  
USL Street Lights Unlit  
NSL No Street Lights  
STU Street Lights Unknown

## FACTORS

+VE Positive Breath Test  
R.TURN Right Turn Manoeuvre  
O.TAKE Overtaking Manoeuvre  
S.VEH Single Vehicle

## Special Conditions

ATS OUT Traffic Lights Not Working  
ATS DEF Traffic Lights Defective  
SIGNS Road Signs Defective or Obscured  
RD WRKS Road Works  
Surface Road Surface Defective



# D-PRINT CRASH REPORT

5-Dec-2019  
11:50:13

Accident Date BETWEEN '01-Jan-2013' AND '30-Jun-2019'

No	Location	Severity	Date	Day	Time	Street Lighting	Road Surface	Weather	Pedestrian Direction	Factors	Involved
3	Road No A8 Section Grid 325710E Ref 673740N	SLIGHT	10/05/2013	6	17:30	L	Dry	Fine	0	S.VEH	M/C
	WAVERLEY BRIDGE AT THE JUNCTION WITH MARKET STREET EDINBURGH 325710E 673740N										Edinburgh, City of
	As received on 20/12/20136335. RECEIVED BY PDA. VEHICLE 1 TRAVELLING ALONG WAVERLEY BRIDGE,TURNING EAST ONTO MARKET STREET, WHEN RIDER BECAME AWARE OF PARKED ANDSTATIONARY VEHICLE CAUSED RIDER TO BRAKE, LOSING CONTROL OF HIS VEHICLEAND SKIDDING ACROSS THE ROAD RESULTING IN DAMAGE AND INJURY AS STATED						Veh1, m/cycle <= 50cc, P -> P			Casualties 1 Vehicles 1	
4	Road No U Section Grid 325850E Ref 673770N	SLIGHT	28/01/2015	4	15:15	L	Dry	Fine	N	S.VEH	
	MARKET STREET 200 METRES WEST FROM THE JUNCTION WITH JEFFREY STREET EDINBURGH 325850E 673770N										Edinburgh, City of
	As received on 14/07/20158243 - RECEIVD VIA PDA, VEH 1 DRIVING WEST ALONG LOCUS, WHEN IP WALKEDINTO THE SIDE OF VEH 1, BUMPING INTO THE NEARSIDE WING MIRROR, CAUSINGINJURY AND DAMAGE AS STATED						Veh1, car, P -> P			Casualties 1 Vehicles 1	

## Key Involved

PED Pedestrian  
HGV Heavy Goods Vehicle  
GV Goods Vehicle  
M/C Motor Cycle  
P/C Pedal Cycle  
PSV Bus/Coach

## Street Lighting

L Daylight  
STL Street Lights  
USL Street Lights Unlit  
NSL No Street Lights  
STU Street Lights Unknown

## FACTORS

+VE Positive Breath Test  
R.TURN Right Turn Manoeuvre  
O/TAKE Overtaking Manoeuvre  
S.VEH Single Vehicle

## Special Conditions

ATS OUT Traffic Lights Not Working  
ATS DEF Traffic Lights Defective  
SIGNS Road Signs Defective or Obscured  
RD WRKS Road Works  
Surface Road Surface Defective

# D-PRINT CRASH REPORT

5-Dec-2019  
11:50:13

Accident Date BETWEEN '01-Jan-2013' AND '30-Jun-2019'

No	Location	Severity	Date	Day	Time	Street Lighting	Road Surface	Weather	Pedestrian Direction	Factors	Involved
5	Road No U Section Grid 325770E Ref 673750N	SLIGHT	16/04/2017	1	10:15	L	Dry	Rain	Stand		
	MARKET STREET 50 YARDS EAST OF JUNCTION WITH WAVERLEY BRIDGE EDINBURGH 325770E 673750N								Edinburgh, City of		PED
	As received on 29/01/20188569 - RECEIVED BY EMAIL - DRIVER OF VEH 1 AND VEH 2, BOTH TAXI DRIVERS, INVOLVED IN ALTERCATION AT TAXI RANK AT LOCUS. NIP STANDING ON NORTH SIDE OF THE ROAD WITH HIS BACK TOWARDS HIS TAXI, VEH 1 MOVING OFF FROM TAXI RANK FOLLOWING ALTERCATION AND FRONT OF VEH 1 CLIPPED RIGHT ELBOW OF NIP, CAUSING UNKNOWN DAMAGE AND INJURY AS STATED. VEH 1 MADE OFF, FAILING TO STOP						Veh1, car, P -> P Veh2, taxi, P -> P			Casualties 1 Vehicles 2	
6	Road No U Section Grid 325800E Ref 673760N	SLIGHT	12/11/2017	1	18:30	DRK STL	Dry	Fine	Stand	S.VEH	
	MARKET STREET TAXI RANK, 100 M EAST FROM JUNCTION WITH WAVERLY BRIDGE EDINBURGH 325800E 673760N								Edinburgh, City of		PED
	8569 - RECEIVED BY PDA - VEH 1, A M-TAXI, FACING EAST IN QUEUE OF TAXIS AT RANK, NIP STANDING NEAR EDGE OF PAVEMENT LOOKING BEHIND HIM AND ON NEAR SIDE OF VEH 1, VEH 1 THEN MOVING UP SPACE IN RANK, NEAR SIDE OF VEH 1 STRIKING NIP TO RIGHT SHOULDER, HIP AND RUCKSACK, NIP BEING KNOCKED AND THROWN BACK ONTO PAVEMENT, CAUSING INJURY AS STATED. NIP SIGNALLLED TO DRIVER OF VEH 1, DRIVER DID NOT STOP, CARRIED OUT U TURN MANOEUVRE AND SPED OFF						Veh1, taxi, W -> E			Casualties 1 Vehicles 1	

## Key Involved

PED Pedestrian  
HGV Heavy Goods Vehicle  
GV Goods Vehicle  
M/C Motor Cycle  
P/C Pedal Cycle  
PSV Bus/Coach

## Street Lighting

L Daylight  
STL Street Lights  
USL Street Lights Unlit  
NSL No Street Lights  
STU Street Lights Unknown

## FACTORS

+VE Positive Breath Test  
R.TURN Right Turn Manoeuvre  
O.TAKE Overtaking Manoeuvre  
S.VEH Single Vehicle

## Special Conditions

ATS OUT Traffic Lights Not Working  
ATS DEF Traffic Lights Defective  
SIGNS Road Signs Defective or Obscured  
RD WRKS Road Works  
Surface Road Surface Defective

# D-PRINT CRASH REPORT

5-Dec-2019  
11:50:13

Accident Date BETWEEN '01-Jan-2013' AND '30-Jun-2019'

No	Location	Severity	Date	Day	Time	Street Lighting	Road Surface	Weather	Pedestrian Direction	Factors	Involved
7	Road No U Section Grid 325780E Ref 673750N	SLIGHT	27/02/2018	3	12:15	L	Wet/Damp	Fine	N	S.VEH	
	MARKET STREET 60 M EAST FROM JUNCTION OF MINI ROUNDABOUT CONNECTING REST OF MARKET STREET AND WAVERLEY BRIDGE EDINBURGH 325780E 673750N									Edinburgh, City of	PED
	9704 - REC'D BY PDA, VEH 1 WAS TRAVELLING WEST ALONG MARKET STREET HEADING TO THE MOUND, WHILE AROUND 60M FROM THE JUNCTION OF A MINI ROUNDABOUT CONNECTING THE ROAD TO THE REST OF MARKET STREET AND WAVERLEY BRIDGE, VEH 1 RUNNING OVER THE NIP'S FOOT WHILE HE WAS STANDING, STATIONARY ON THE ROADWAY, CAUSING INJURY AS STATED, VEH 1 FAILING TO STOP AND DOES NOT APPEAR TO HAVE NOTICED THAT IT WAS INVOLVED IN AN ACCIDENT, FROM THE DESCRIPTION PROVIDED BY THE NIP , IT DOES NOT APPEAR THAT VEHICLE 1'S DRIVING HAS BEEN AT FAULT IN A CARELESS OR DANGEROUS FASHION						Veh1, taxi, E -> W			Casualties 1 Vehicles 1	
8	Road No U Section Grid 325670E Ref 673720N	SLIGHT	09/08/2018	5	12:30	L	Dry	Fine			
	MARKET STREET APPROXIMATELY 30 METRES FROM JUNCTION WITH EAST MARKET STREET EDINBURGH 325670E 673720N									Edinburgh, City of	
	8243 - RECEIVED VI AE-MAIL, VEH 1 STATIONARY FACING WEST, VEH 2 STATIONARY FACING EAST, VEH 1 CONDUCTED A U-TURN AT SPEED CAUSING A COLLISION WITH VEH 2, THE IP EXITED VEH 2 TO SPEAK TO THE DRIVER OF VEH 1 AND WAS STRUCK CAUSING INJURY AS STATED, VEH 1 FAILING TO STOP						Veh1, car, W -> W Veh2, taxi, E -> W			Casualties 1 Vehicles 2	

## Key Involved

PED Pedestrian  
HGV Heavy Goods Vehicle  
GV Goods Vehicle  
M/C Motor Cycle  
P/C Pedal Cycle  
PSV Bus/Coach

## Street Lighting

L Daylight  
STL Street Lights  
USL Street Lights Unlit  
NSL No Street Lights  
STU Street Lights Unknown

## FACTORS

+VE Positive Breath Test  
R.TURN Right Turn Manoeuvre  
O/TAKE Overtaking Manoeuvre  
S.VEH Single Vehicle

## Special Conditions

ATS OUT Traffic Lights Not Working  
ATS DEF Traffic Lights Defective  
SIGNS Road Signs Defective or Obscured  
RD WRKS Road Works  
Surface Road Surface Defective

# D-PRINT CRASH REPORT

5-Dec-2019  
11:50:13

Accident Date BETWEEN '01-Jan-2013' AND '30-Jun-2019'

No	Location	Severity	Date	Day	Time	Street Lighting	Road Surface	Weather	Pedestrian Direction	Factors	Involved
9	Road No U Section Grid 325874E Ref 673779N	SLIGHT	01/03/2019	6	10:20	L	Dry	Fine	S	S.VEH	PSV
	MARKET STREET 150 METRES WEST FROM ITS JUNCTION WITH JEFFERY STREET EDINBURGH 325874E 673779N									Edinburgh, City of	PED
	71432 RECEIVED BY PDA - VEH 1 TRAVELLING EAST AT LOCUS, NOW IP STEPPING INTO THE ROAD WITHOUT LOOKING COLLIDING WITH FRONT NEAR SIDE OF VEH 1, CAUSING INJURIES AS STATED						Veh1, bus or coach, W -> E			Casualties 1 Vehicles 1	
10	Road No U Section Grid 325716E Ref 673739N	SLIGHT	19/04/2019	6	16:05	L	Dry	Fine	S	S.VEH	
	MARKET STREET AT ITS JUNCTION WITH WAVERLEY BRIDGE EDINBURGH 325716E 673739N									Edinburgh, City of	PED
	7882 REC'D BY EMAL VEH 1 TRAVELLING EASTWARDS WHEN NOW IP HAS RAN FROM NEAR SIDE COLLIDING WITH VEH 1 RESULTING IN DAMAGE AND INJURY AS STATED, IP LEFT SCENE TOWARDS WAVERLEY STATION						Veh1, car, W -> E			Casualties 1 Vehicles 1	

## Key Involved

PED Pedestrian  
HGV Heavy Goods Vehicle  
GV Goods Vehicle  
M/C Motor Cycle  
P/C Pedal Cycle  
PSV Bus/Coach

## Street Lighting

L Daylight  
STL Street Lights  
USL Street Lights Unlit  
NSL No Street Lights  
STU Street Lights Unknown

## FACTORS

+VE Positive Breath Test  
R.TURN Right Turn Manoeuvre  
O.TAKE Overtaking Manoeuvre  
S.VEH Single Vehicle

## Special Conditions

ATS OUT Traffic Lights Not Working  
ATS DEF Traffic Lights Defective  
SIGNS Road Signs Defective or Obscured  
RD WRKS Road Works  
Surface Road Surface Defective

## Appendix 9

**From:** Joanna Mowat <Joanna.Mowat@edinburgh.gov.uk>

**Sent:** 17 December 2019 15:52

**To:** Marcos Martinez <Marcos.Martinez@edinburgh.gov.uk>

**Subject:** RE: Proposed Taxi Stance Appointment - East Market Street

Marcos

Thank you for this.

I have grave reservations about moving the taxi stance so far from the Market Street entrance and across a road. It would seem that under the bridge would be more suitable which is also next to a crossing so it would encourage better pedestrian behaviour.

Whatever happens with the crossing it is essential that the signage is improved – not only for this taxi rank but the others serving Waverley and that signage inside the station is improved so that travellers can make the best choice about where to get a taxi from – it would be helpful if signs showed where the best rank to get a cab to parts of the city and direction were inside the station. So if you wanted a cab to the east you were directed to Calton Road, for the south market Street and north or west Waverley Bridge or however the industry considers best.

Regards

Jo Mowat

Councillor Jo Mowat  
Conservative Councillor City Centre Ward  
City of Edinburgh Council

[Joanna.mowat@edinburgh.gov.uk](mailto:Joanna.mowat@edinburgh.gov.uk)

0131 529 4077

07718 666 454

@jomowat

-----Original Message-----

From: Alex Readie <[nreadie@outlook.com](mailto:nreadie@outlook.com)>

Sent: 17 December 2019 17:35

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

Subject: Proposed Taxi Stance East Market Street

Dear Sirs

I write to you in regards of the above proposal and your request for feedback and or objections

I would support this proposal if it means one of two things;

The current mess and disgrace of current practice is ceased in that those taxis who currently occupy Market Street from its junction with Waverley Bridge down to the rear entrance of the station / pedestrian crossing are removed. The reason for saying this is currently other taxis park directly opposite, double parking and when they see fit, turn 180 degrees sometimes blocking the roadway. The double parking of taxis, albeit at time temporarily, still causes significant issue for other road users with no apparent consideration given.

I would also support this if, in conjunction with the above, the moving of a taxi stance and above procedures are monitored so that it doesn't just become another mess and taxis waiting and turning and causing danger especially near a bend and area that is already congested with vehicles

I hope this is helpful

Regards

Nathan

Nathan Readie

Sent from my iPhone

**From:** KEITH AND DEBORAH MCCALL <[mccall27@live.com](mailto:mccall27@live.com)>  
**Sent:** 17 December 2019 20:23  
**To:** Licensing <[Licensing@edinburgh.gov.uk](mailto:Licensing@edinburgh.gov.uk)>  
**Subject:** RE: Proposed Taxi Stance Appointment - East Market Street.

Licensing Department,

RE: Proposed Taxi Stance Appointment - East Market Street.

Since taxis were moved out of the station internally , access to taxis for the general public, elderly, infirm and disabled has been and remains embarrassing for the capital city of Scotland.

The trade has had to make do with a series of TTRO's (which often lapse) to maintain the existing rank on Market Street since the construction work on North Bridge started. This latest move will move the rank further away from the exit of the station and passengers will have to cross the road to access the rank which will be out of sight at the station exit point.

It is not ideal for either the travelling public or the taxi trade and the council should be coming up with a better solution than this. I am aware that space is premium in that area and that double parked taxis waiting to gain access to the rank can cause problems but to move the rank out of sight just shows the contempt in which the taxi trade and travelling public is held by CEC.

No doubt loading bays in the area will be occupied constantly by Uber and private hire vehicles seeking to tout/profit from this move. An absolute disgrace.

Kind Regards

Mr Keith McCall

Sent from [Mail](#) for Windows 10





# Regulatory Committee

10.00am, Thursday, 9 January 2020

## Taxi and Private Hire Car Enforcement and Complaints Update

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

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- 1.1 It is recommended that the Regulatory Committee:
  - 1.1.1 Notes the contents of this report.

**Paul Lawrence**

Executive Director of Place

Contact: Andrew Mitchell, Regulatory Services Manager  
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Contact: Marcos Martinez, Higher Enforcement Officer  
E-mail: [marcos.martinez@edinburgh.gov.uk](mailto:marcos.martinez@edinburgh.gov.uk) | Tel: 0131 529 4533

## Taxi and Private Hire Car Enforcement and Complaints Update

### 2. Executive Summary

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- 2.1 This report provides details of the number and nature of complaints received by the Licensing Service in relation to both Taxi and Private Hire drivers and operators, and of current enforcement strategies.

### 3. Background

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- 3.1 The Civic Government (Scotland) Act 1982 ('the 1982 Act') created a two-tier licensing regime, whereby a taxi may pick up passengers in a public place without a prior booking, and a Private Hire Car ('PHC') must be pre-booked. In general terms, whilst the fare paying passenger will see differences in method of hire, vehicle design, livery and booking conditions across the two services, each is fundamentally a contractual agreement between the customer and a suitably trained and regulated driver.
- 3.2 The role of the Licensing Authority is primarily to regulate licensable activity in the City of Edinburgh, and to administer a legally compliant service whilst providing excellent service to its customers. The Council has for many years operated an effective enforcement and complaints strategy in partnership with Police Scotland and its predecessors.
- 3.3 The approach and its functions are multi-faceted in respect of enforcement of regulations and licence conditions, and include:
- 3.3.1 The Taxi Examination Centre (TEC). There are currently eight vehicle examiners whose responsibility is testing and examining all taxi and PHC vehicles. Additionally, when resources permit, they also carry out on-street enforcement action with respect to vehicle roadworthiness and compliance with licence conditions.
- 3.3.2 The Council also has an officer whose remit covers taxi and PHC licensing complaints, breaches of licensing conditions and reports to committee. In support of this role, enforcement is spread across various teams within the Council whose objectives all support the enforcement of licence conditions and relevant legislation in relation to licensable activity.

- 3.3.3 The Council funds the role of the Cab Inspector, who oversees the checking of all applications submitted to the Council and two Police civilian staff who undertake vetting on applicants. The Cab Inspector also deals with breaches of legislation and has the very important function of co-ordinating on-street policing activity with local and roads policing officers.
- 3.4 The Licensing Service continues to keep under review and adapt the service's approach to reflect the demands of all of its customers, including the taxi and PHC trade.

## **4. Main report**

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- 4.1 This report provides the Regulatory Committee with an update on the current level of complaints and enforcement activity regarding taxi and PHC licensing. In addition, the report provides an overview of a recent Licensing Enforcement project on illegal plying for hire. The report was requested by the Convenor following meetings with Taxi trade representatives in September 2019.

### **Complaints Process**

- 4.2 The Council administers a thorough complaints process. All complaints received against taxi or PHC drivers or operators are recorded individually, investigated, and appropriate action is taken in respect of the relevant licence holders. This can take many forms depending on the outcome of the complaint. There are a range of options available, including:
- 4.2.1 No further action required.
  - 4.2.2 Verbal warning issued.
  - 4.2.3 Written warning issued/Compliance Notice (S.45h of the 1982 Act).
  - 4.2.4 Matter referred to Police Scotland for criminal investigation.
  - 4.2.5 Report submitted to committee seeking suspension or revocation of a licence.
  - 4.2.6 Objection to the renewal of an existing licence.
- 4.3 Members should also be aware that it is likely that there will be a number of communications between passengers and licensed operators through the operators' own internal processes. Many of these matters are resolved at that level by the relevant operator. However, the Council expects operators to escalate complaints to the Council where appropriate to do so. At this time the Directorate has no concerns with respect to the complaints handling/escalating procedures of any licensed operator, and the process appears to be working well across both sectors. This is of course kept under review.
- 4.4 Complaints are regularly reviewed to identify the type received and any areas of concern, or where a particular issue requires additional attention. This provides an opportunity to intervene by engaging with licence holders and individual companies, where appropriate.

- 4.5 Implementing the above measures has strengthened future reporting capabilities and enables further monitoring streams for compliance. In addition to these additional measures, an overall upgrade to the Licensing Authority's operating systems in 2014/2015 provided more detailed reporting functionality, delivering detailed complaint data from 2015 onwards.

### **Additional Vetting**

- 4.6 In September 2016 the Regulatory Committee adopted a new Criminal Records Evidence policy implementing an enhanced level of background checks on all licensed drivers. This further supported the additional monitoring measures described above, and allowed the Council to strengthen its commitment to reduce risk to the public and increase passenger safety. The policy requires all applicants for a taxi or PHC driver licence (including current licence holders) who were not born in the UK to produce a criminal conviction check from their country of birth, or from any other country in which they have resided for six months or more.

### **Number of licences**

- 4.7 There has been an increase in licensed drivers and licensed PHC vehicles in the past five years. This increase is mirrored across the UK and is not unique to Edinburgh. To provide context, the tables below outline the number of licensed taxi and PHC drivers and vehicles during this period.

<b>VEHICLES</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Taxi</b>	1316	1316	1316	1316	1316
<b>PHC</b>	1012	1471	1772	2165	2447
<b>Total</b>	<b>2328</b>	<b>2787</b>	<b>3088</b>	<b>3481</b>	<b>3763</b>

<b>DRIVERS</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019*</b>
<b>Taxi</b>	3099	3226	3166	3118	2934
<b>PHC</b>	1258	2114	2447	2878	3153
<b>Total</b>	<b>4357</b>	<b>5340</b>	<b>5613</b>	<b>5996</b>	<b>6087</b>

\*correct at time of writing

- 4.8 The number of recorded complaints received between 2015 and 2019 is detailed below:

<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019*</b>
550	550	653	1061	1231

\*January 2019 to November 2019

- 4.9 The increase in complaints over this five-year period is reflective of the change in approach to providing feedback. Members also may be aware that the Council

regularly receives multiple complaints in relation to one single incident. For example, a high-profile incident during the 'Taxi Outing' in June 2019 attracted significant media and social media attention. This resulted in the Council receiving 75 complaints in relation to this single incident. Similarly the Council receives a significant level of complaints in respect of activities of both taxis and PHCs at the airport, and this again is reflected in the figures.

- 4.10 Appendix 1 provides a detailed breakdown of complaints received from January to December 2018 and January to November 2019. There appears to be a pattern emerging in that whilst historically complaints received were typically from passengers and other members of the public, more recently an increased number of complaints about PHC drivers have been received from Taxi drivers. Overall there has been no increase in complaints from the public.
- 4.11 As part of any enforcement strategy, when analysing complaints an evidence-based assessment is necessary. Specifically, a distinction must be made between the number of complaints received, and the number of complaints upheld/allegations which have been proven or substantiated.
- 4.12 Of the 2,166 complaints received in the 21 month period between January 2018 and September 2019, 302 (less than 14%) were found to be substantiated with sufficient evidence and therefore requiring formal action.

### **Approach to Enforcement**

- 4.13 Proactive enforcement takes many different forms, including:
  - 4.13.1 undertaking extensive criminal convictions checks with drivers and vehicle owners, conducting immigration and right to work interviews;
  - 4.13.2 examining vehicles and on-street compliance checks;
  - 4.13.3 providing licensed drivers and operators with advice and guidance on licence conditions and relevant regulations; and
  - 4.13.4 operating an effective complaints process.
- 4.14 Whilst the Licensing Service is responsible for regulating licensable activity in Edinburgh, the service works closely in partnership with Police Scotland to monitor illegal activity within the trade.
- 4.15 For many years the Council has made a significant investment in supporting a dedicated taxi team in Police Scotland, led by the Cab Inspector. The Cab Inspector is responsible for:
  - 4.15.1 overseeing enhanced vetting of all Taxi and PHC and driver's licence applications,
  - 4.15.2 investigating complaints of a serious nature against licence holders
  - 4.15.3 monitoring criminal activity involving licence holders; and
  - 4.15.4 reporting criminal matters to the Procurator Fiscal and Licensing Authority on behalf of the Chief Constable.

- 4.16 The Cab Inspector is responsible for making representations to the Licensing Sub-Committee on behalf of the Chief Constable, and on average submits 12 reports each month to the Licensing Sub-Committee requesting suspension hearings and objections to licence renewals. This role is key to ensuring that the most serious of incidents are dealt with in an appropriate manner, and that comprehensive information is made available to officers and committee members to enable them to make an informed recommendation or decision on the fitness of a licence holder.
- 4.17 Officers have requested additional information from Police Scotland to provide members with a comprehensive view of their enforcement approach to Taxi and PHC licensing. This will be made available to the committee when received.
- 4.18 The Council also operates regular joint enforcement strategies with colleagues in the Road Policing division and local Community Police Officers. These consist of officers being visible in prominent areas for taxi and PHC activity and spot-checking vehicles and drivers for vehicle roadworthiness and licence condition compliance.

### **Roadside Inspection of Vehicles**

- 4.19 As a result of this strategy, officers have compiled a snapshot of data during the period between February 2019 and October 2019. During this eight month period a total of 681 vehicles were checked, with a total of 172 defects/faults being identified (a 75% compliance rate). These defects are addressed by issuing a rectification notice to the driver at the time of the road-side inspection, outlining the defect(s) and giving a deadline by which the vehicle must be presented for satisfactory examination at the Taxi Examination Centre. There were no instances of drivers or vehicle owners failing to take corrective action to address a defect.
- 4.20 Appendix 2 provides a breakdown of these figures. A series of further joint checks are planned for December 2019 and early January 2020. Further information will be made available to the committee when results are available.
- 4.21 In addition to the faults recorded by Council officers, officers from Police Scotland, whose remit extends beyond vehicle compliance checks, also addressed more than 75 separate issues, ranging from minor traffic offences to mobile phone use, and issues requiring the affixing of prohibition notices to vehicles. These were dealt with by the Police.
- 4.22 In some cases Police officers may report these issues to the Procurator Fiscal, or may alternatively refer the matter to the Cab Inspector to make a decision on appropriate action to be taken against the licence holder.
- 4.23 In addition to these specific joint enforcement strategies, Police Scotland provides an additional level of enforcement during the night-time economy, as part of general duties. The role of Cab Inspector has been vital to increasing the understanding and awareness of Taxi and PHC matters within Police Scotland divisional operations. This increase in awareness from Police officers during hours where specific Council enforcement strategies are not in operation has benefited the trade and the public by offering an additional level of attention to trade compliance.

- 4.24 This partnership continues to perform well and provides a vital link between Police information and operations, which has resulted in several matters being brought to the attention of the Council. It has also allowed the Licensing Sub-Committee to take appropriate action against licence holders who are charged or convicted of offences, where the Council would otherwise have been unaware of these until the licence was renewed.

### **Suspensions**

- 4.25 A key outcome indicator for effective enforcement is requests for suspension of licences submitted by the Cab Inspector and Council officers. Since 2017, there have been a total of 128 suspension requests submitted for licensed drivers. The Directorate is working on a further report which will ensure that the terms of the motion agreed by full Council in October 2019 are addressed and will include this information within that report.

### **Licensing Enforcement - Illegal Plying for Hire**

- 4.26 As a result of the development of app-based and web-based booking systems, the nature of the interaction between customers, taxis and PHCs has changed.
- 4.27 PHC drivers are under a duty to ensure that they only pick up customers who have 'pre-booked' them, and that they do not pick up on or in the vicinity of an authorised taxi stance. Given the dense location of popular premises which are likely to be frequented by those using Taxi and PHC services, there are likely to be instances where PHCs are seen in large numbers waiting for pre-booked hires.
- 4.28 When investigated by officers, the majority of allegations of illegal touting by PHC vehicles relate to PHC vehicles waiting in prominent public areas for pre-booked fares.
- 4.29 When investigating such allegations, officers obtain booking records for the respective vehicle from the operator to ascertain that a booking has in fact been made for the relevant journey. In some cases, these booking records can show the exact time when a booking was requested, and when the booking was accepted by the driver, thus giving a distinctive timeframe evidencing that the booking was made prior to the hire commencing. In the absence of such details, witnesses are sought, and statements taken in an attempt to corroborate the complaints. The committee is advised that the vast majority of these allegations do not lead to further action because a booking has been traced and verified by the investigation.
- 4.30 The challenge in investigating this type of complaint is that pre-bookings are becoming more fluid, in that app-based booking systems offer almost immediate hire. However, the Directorate continues to adapt enforcement strategies to react to the changes in technology and the impact that this has on how the licensed trade operates and interacts with customers.

## **5. Next Steps**

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- 5.1 The Licensing Authority will continue to operate its current enforcement strategies.
- 5.2 The Licensing Authority will commit to reviewing these strategies in a regular basis to ensure that they remain effective.
- 5.3 The Licensing Authority will report back to the committee at regular intervals on its enforcement actions and complaints.
- 5.4 It is acknowledged that the number of complaints received against taxi and PHC driver and operators have only been reported intermittently. It is proposed that this regular reporting will be re-introduced.
- 5.5 Communication is key in any complaints and enforcement strategy, and it is proposed to introduce an e-newsletter for the Taxi and PHC trade. Regular updates on a range of issues, including complaints and enforcement activity, current relevant items and good news stories, will provide an additional level of open communication. In addition, this will create a further opportunity to accurately inform the wider trade which is not well represented in current trade groups.

## **6. Financial impact**

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- 6.1 The costs of the enforcement are retained within current budgets. Where permissible the Council will continue to seek recovery of these costs through licence application fees.
- 6.2 Where officers identify an increase in enforcement activity, and potentially an increase in necessary resources, an increase in licensing fees is unavoidable and will be reported to Full Council as part of any future licensing fee structure review.

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

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- 7.1 Continued engagement with trade representatives and other interested parties such as Police Scotland.
- 7.2 Officers will continue to engage with representatives of the taxi and PHC trade through regular meetings with the Hire Car Trade Group

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

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- 8.1 None.

## **9. Appendices**

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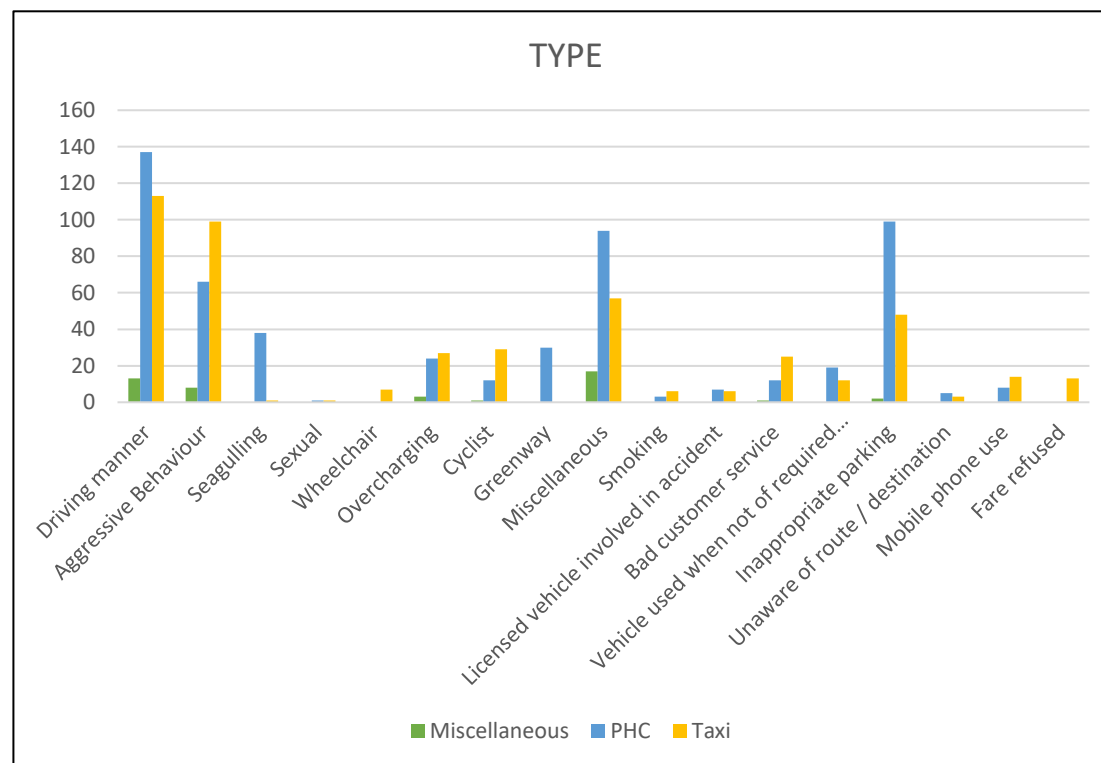
- 9.1 Appendix 1 – Complaints Analysis and Breakdown
- 9.2 Appendix 2 – TEC and Police Scotland Enforcement Initiative Figures



## Complaints Analysis and Breakdown

## Category Breakdown - 2018

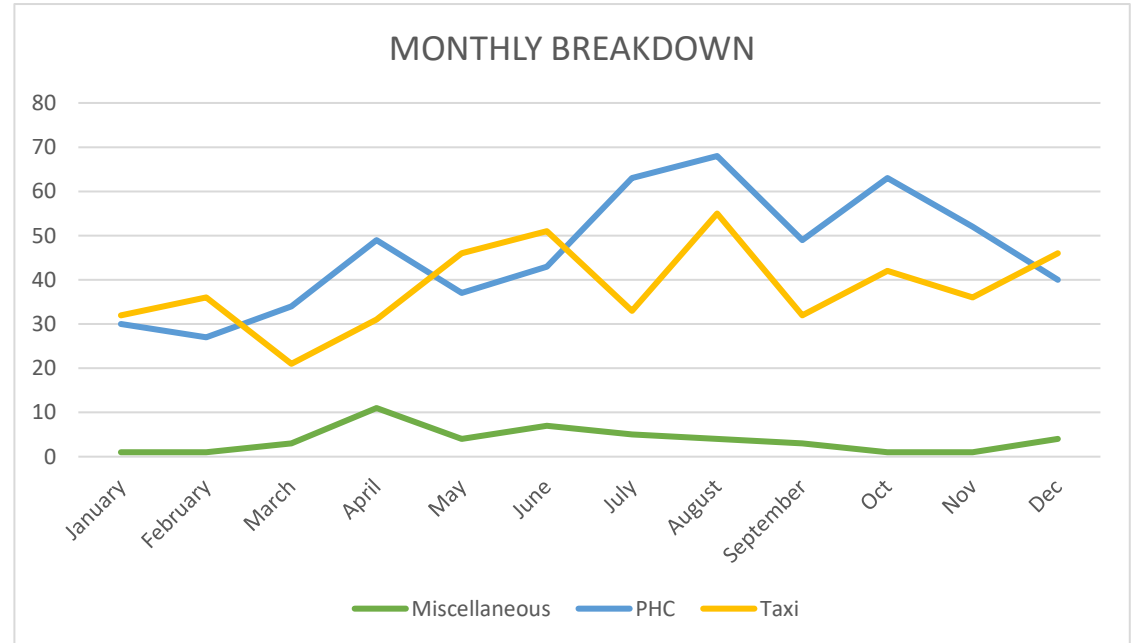
TYPE	PHC	Taxi	TOTAL
Driving manner	137	113	263
Aggressive Behaviour	66	99	173
Seagulling	38	1	39
Sexual	1	1	2
Wheelchair	0	7	7
Overcharging	24	27	54
Cyclist	12	29	42
Greenway	30	0	30
Miscellaneous	94	57	168
Smoking	3	6	9
Licensed vehicle involved in accident	7	6	13
Bad customer service	12	25	38
Vehicle used when not of required standard	19	12	31
Inappropriate parking	99	48	149
Unaware of route / destination	5	3	8
Mobile phone use	8	14	22
Fare refused	0	13	13
<b>TOTAL</b>	<b>555</b>	<b>461</b>	<b>1061*</b>



\*there were 45 complaints received where the identity of the vehicle could not be obtained through the information provided.

### Monthly Breakdown - 2018

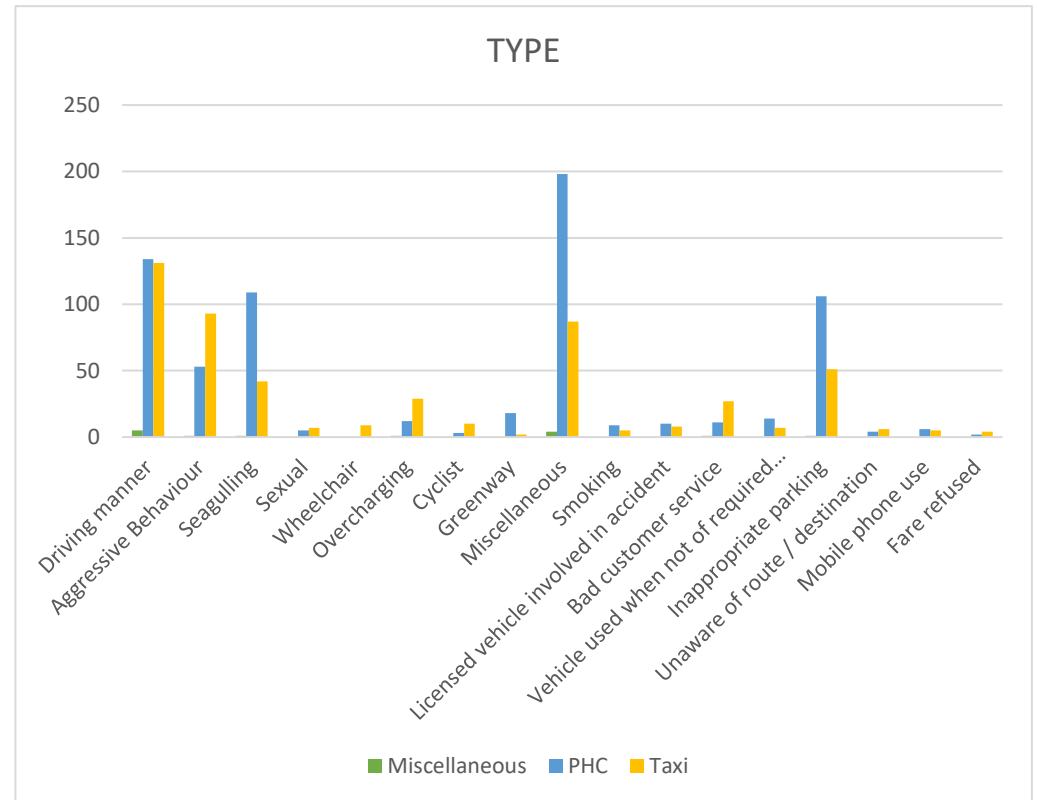
MONTH	PHC	Taxi	TOTAL
January	30	32	63
February	27	36	64
March	34	21	58
April	49	31	91
May	37	46	87
June	43	51	101
July	63	33	101
August	68	55	127
September	49	32	84
October	63	42	106
November	52	36	89
December	40	46	90
<b>TOTAL</b>	<b>555</b>	<b>461</b>	<b>1061*</b>



\*there were 45 complaints received where the identity of the vehicle could not be obtained through the information provided.

### Category Breakdown - 2019

TYPE	PHC	Taxi	TOTAL
Driving manner	134	131	270
Aggressive Behaviour	53	93	147
Seagulling	109	42	152
Sexual	5	7	12
Wheelchair	0	9	9
Overcharging	12	29	42
Cyclist	3	10	13
Greenway	18	2	20
Miscellaneous	198**	87	289
Smoking	9	5	14
Licensed vehicle involved in accident	10	8	18
Bad customer service	11	27	39
Vehicle used when not of required standard	14	7	21
Inappropriate parking	106	51	158
Unaware of route / destination	4	6	10
Mobile phone use	6	5	11
Fare refused	2	4	6
<b>TOTAL</b>	<b>694</b>	<b>523</b>	<b>1231*</b>

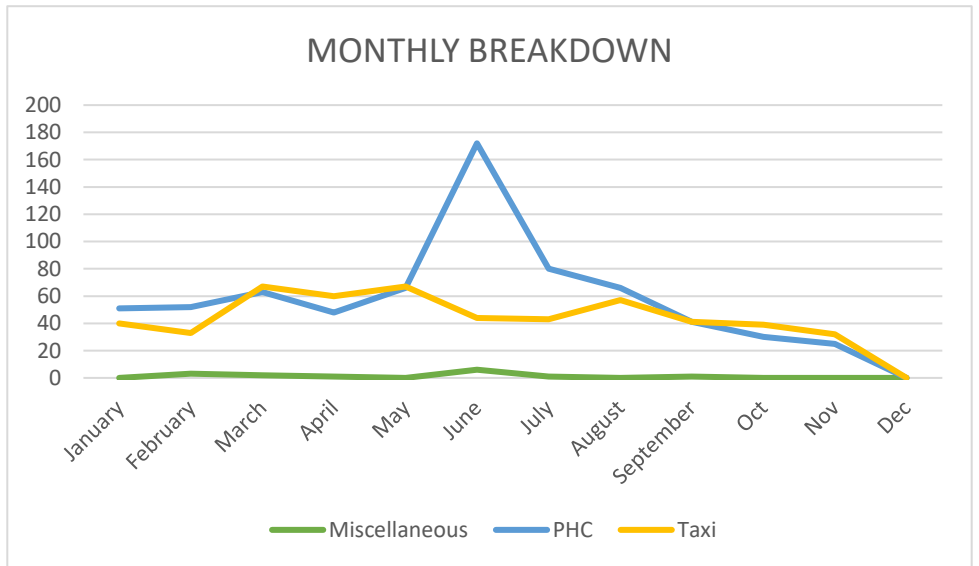


\*there were 14 complaints received where the identity of the vehicle could not be obtained through the information provided.

\*\*75 complaints were received in relation to a single incident.

### Monthly Breakdown – 2019

MONTH	PHC	Taxi	TOTAL
January	51	40	91
February	52	33	88
March	63	67	132
April	48	60	109
May	66	67	133
June	172**	44	222
July	80	43	124
August	66	57	123
September	41	41	83
Oct	30	39	69
Nov	25	32	57
Dec	0	0	0
<b>TOTAL</b>	<b>694</b>	<b>523</b>	<b>1231*</b>



\*there were 14 complaints received where the identity of the vehicle could not be obtained through the information provided.

\*\*75 complaints were received in relation to a single incident.

## TEC and Police Scotland Road-side Enforcement Initiative Figures 2019

	Number of Vehicles Checked				Number of Vehicles with Faults identified				Vehicle Fully Compliant at Time of Check (%)	
Month	Taxi	PHC	Total		Taxi	PHC	Total		Taxi	PHC
Jan	0	0	0		0	0	0		-	-
Feb	22	4	26		5	1	6		77%	75%
Mar	0	0	0		0	0	0		-	-
Apr	0	0	0		0	0	0		-	-
May	127	80	207		26	17	43		80%	79%
Jun	41	81	122		14	29	43		66%	64%
Jul	0	0	0		0	0	0		-	-
Aug	34	50	84		4	17	21		88%	66%
Sep	45	64	109		7	22	29		84%	66%
Oct	53	80	133		4	26	30		92%	68%
Nov	-	-	-		-	-	-		-	-
Dec	-	-	-		-	-	-		-	-
Total	322	359	681		60	112	172		81%	69%

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## Regulatory Committee

10.00am, Thursday, 9 January 2020

### Taxi Fares Review 2019/20

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

- 1.1 The Regulatory Committee is asked to:
  - 1.1.1 Note the attached report from Jacobs (Appendix 2), and in particular the recommendations following consultation with representatives of the taxi trade, and note that these are repeated at Paragraph 3.7 of this report;
  - 1.1.2 Note that feedback was sought from the representatives of the taxi trade on the initial Jacobs report and where received has been incorporated in the report at Appendix 2;
  - 1.1.3 Note that the Directorate, having considered all of the above, recommends that the committee advertises a proposed fare scale with the following changes to the current fare scale, for reasons set out in this report, as required in terms of section 17 of the Civic Government (Scotland) Act 1982:
    - 1.1.3.1 that Fare Tariffs 1 and 2 increase, with an increase on the flag drop of 40p;
    - 1.1.3.2 that Fare Tariffs 3 and 4 increase, with an increase on the flag drop of 40p;
    - 1.1.3.3 additionally, increases Tariffs 1 and 2 by 3.3% on increments thereafter;
    - 1.1.3.4 that the additional passenger charge increases to 30p;
    - 1.1.3.5 that the wording of the definition of the 'soiling' charge shall be amended to as set out in paragraph 4.7.5; and
    - 1.1.3.6 makes no change to any other tolls, charges and fees at this time.
  - 1.1.4 Instructs the Executive Director of Place to publish these proposed fare scales in a newspaper circulating in the Council area in the manner required

under section 17(4A) (c) of the Act including the date on which the fare scale is planned to take effect, and to report back on any representation(s) received as a result of the consultation.

**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



## Taxi Fares Review 2019/20

### 2. Executive Summary

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- 2.1 This report informs the Committee that the statutory review of fares has been undertaken. The Council has engaged consultants to carry out the initial work on the review and their final report is attached. Consultation with the trade has also been carried out. The report makes recommendations on the remaining steps necessary to complete the review and fix taxi fares.

### 3. Background

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- 3.1 The Council, as Licensing Authority under the Civic Government (Scotland ) Act 1982 ('the Act') for taxis, is required in terms of section 17 of the Act to review and fix the scale of fares and other charges which may be used by taxis licensed within the city. This review must take place at intervals not greater than 18 months. The Council last fixed taxi fares on 18 June 2018. The taxi fare tariff sets out the maximum charges which licensed taxis may charge any passenger for a journey within the city. Operators are of course free to alter any charge subject to that maximum.
- 3.2 The initial requirement of the review is that the Council, as Licensing Authority, must consult with persons or organisations appearing to them to be, or be representative of, the operators of taxis operating within their council area. In its work plan the Committee agreed to commission consultants to carry out the initial consultation with the trade, review the fare structure and to make recommendations on any changes following on from that consultation. Jacobs was commissioned to undertake the most recent review and the final report is attached at Appendix 2.
- 3.3 Initial consultation on that report was carried out between 31 July and 13 September 2019. On 18 September 2019 Jacobs received email confirmation of an agreed final position from trade representatives. On 15 October 2019 a copy of the draft report was then provided to the representatives of the taxi trade for final comment by 30 October 2019. No further responses were received during this period, and the final Jacobs report was received by the Council on 22 November 2019 (Appendix 2).

## 4. Main report

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- 4.1 The current fee structure is set out at Appendix 1 of this report. The fee varies depending on time of day, distance travelled, and waiting time. There are particular tariffs for certain public holidays and additional fees for a range of items, including the cleaning of the taxi if it is soiled.
- 4.2 As described in paragraphs 3.2 and 3.3 above, the initial process was undertaken on behalf of the Council by Jacobs. After consultation with representatives of the trade, the Council as Licensing Authority is required to review the existing fare scales and propose new scales. The proposed fare scale is required to be advertised for a period of not less than one month, to allow for representations on the proposed fare scale, after which a further report will be brought back to the committee for consideration, and if appropriate, approval.
- 4.3 The committee should note that there is a right of appeal in respect of any decision it makes regarding the new fare scales. This may be exercised by any taxi licence holder and the appeal is made to the Scottish Traffic Commissioner. Members are asked to note that guidance issued by the Scottish Government states that the Council should consider the costs of operating a taxi as well as the income available to operators when reviewing and fixing the taxi fare scales. Members should also avoid restricting any increase based on concern about the impact on passengers.
- 4.4 The draft Jacobs report was circulated to the taxi trade for consideration and comment and feedback was invited. A final report making recommendations as to possible revisions to the fare table is now submitted for the committee's consideration (Appendix 2).
- 4.5 Section 4 of the Jacobs report outlines the responses received from the trade and the evidence which was put forward in support. Members are advised to consider this information in detail when considering the recommendations in this report. In summary, trade members seek:
  - 4.5.1 3.3% overall increase;
  - 4.5.2 40p increase on the flag drop across all tariffs to £3 (Tariff 1), £4 (Tariffs 2 and 3) and £5 (Tariff 4);
  - 4.5.3 'additional passenger charge' to be increased from 20p to 40p;
  - 4.5.4 an increase in the cancellation fee from £2.20 to £5.00;
  - 4.5.5 wording in the definition of 'soiling' to be revised; and
  - 4.5.6 all tolls, charges or fees to be recoverable by the driver.
- 4.6 Section 8 of the Jacobs report provides recommendations to the Council on what fare increases could be applied:
  - 4.6.1 increase the flag to £3 on T1, £4 on T2, £4 on T3 and £5 on T4 and apply 3.3% to the increments;

- 4.6.2 amend the festive tariff so that T4 should be applied to Christmas Day and New Year's Day (25 December and 1 January) irrespective of day of the week and that T4 is retained during night times on Christmas and New Year's Eve;
  - 4.6.3 increase the additional passenger charge to 30p;
  - 4.6.4 increase the cancellation fee to £5;
  - 4.6.5 the wording around soiling should have the 'travel sickness' phrase removed; and
  - 4.6.6 consider amending the wording with respect to the airport to allow drivers to fully recoup charges, including any future charge increases. This would be subject to legal advice.
- 4.7 After taking all of the above into consideration the Directorate recommends that the committee fixes a proposed taxi fare scale with the following changes to the current fare scale:
- 4.7.1 that Fare Tariffs 1 and 2 increase, with an increase on the flag drop of 40p;
  - 4.7.2 that Fare Tariffs 3 and 4 increase, with an increase on the flag drop of 40p;
  - 4.7.3 additionally increases Tariffs 1 and 2 by 3.3% on increments thereafter;
  - 4.7.4 that the additional passenger charge increases to 30p;
  - 4.7.5 that the wording of the definition of the 'soiling' charge shall be amended to read "Soiling Charge – maximum of £50.00 payable by a passenger, where a vehicle requires to be removed from service for cleaning in order for it to be restored to a usable state and condition"; and
  - 4.7.6 applies no change to any other tolls, charges and fees at this time.
- 4.8 Details of the final proposals from Jacobs and the recommendations made as detailed in paragraph 4.6 above were sent to the representatives of the trade by email on 15 October 2019. No further responses were received. It is recommended that, having reviewed and proposed new fare scales, the committee directs officers to advertise the proposed fare scales in line with the statutory requirements set out above, and to report back when that process has been completed.
- 4.9 Members will note that the Directorate is not recommending in full adoption of either Jacobs' or the taxi trade representatives' recommendations. The Directorate wrote to the trade on 6 December 2019 explaining what recommendations to the committee the Directorate was likely to make (Appendix 4).
- 4.10 In terms of applying a percentage increase to increments for Tariffs 3 and 4, the Directorate notes the significant differences in cost between Tariffs 1 and 2 and Tariffs 3 and 4. The Directorate has written to the trade asking for information to justify further increasing this gap.
- 4.11 Members may recall that some comparison has been made by the trade with other local authorities operating "time and a half" or "double time". The Directorate remains concerned that the proposals of the trade would represent a significant

increase in fares between Christmas and New Year without any evidence being submitted showing the additional costs to the trade which would justify this.

- 4.12 In terms of the cancellation fee, the trade has been asked to evidence that this increase is necessary, noting that the Jacobs report highlights that no other local authority has been identified as operating a similar level of fee.
- 4.13 With respect to fees at Edinburgh Airport, the Council is required to fix an actual fee and it is not legally permissible to allow an arrangement that any fee may be passed on without this being set on the fare card. This position is consistent with the advice which has been given to the committee in previous fare reviews. The trade has been asked to put forward proposals for a fee for airport charges.
- 4.14 To provide some comparative data, a table is provided at Appendix 3 with a projection of the impact of the proposed fare increases, should they be accepted by the committee.

## **5. Next Steps**

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- 5.1 It is recommended that the committee notes this report and agrees to receive a further report after the statutory advert is published.

## **6. Financial impact**

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- 6.1 There is no direct financial impact to the council. The fare structure will have a direct impact on residents or visitors to the city using a taxi.

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

---

- 7.1 The statutory framework provides that if a review of taxi fares is not completed within each 18 month period then the council will risk legal challenge. This report discharges the statutory duty.
- 7.2 If the taxi trade has a concern about the Council's decision on the new fare scales, taxi licence holders may appeal that decision individually or as a group, including any decision not to implement an increase in the fare scales.
- 7.3 Matters described in this report have no relationship to the public sector general equality duty, thus there is no direct equalities impact arising from this report
- 7.4 There is no environmental impact arising from the contents of this report.

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

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- 8.1 None.

## 9. Appendices

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- 9.1 Appendix 1: Current tariff (from 18 June 2018).
- 9.2 Appendix 2: Jacobs report dated November 2019.
- 9.3 Appendix 3: Comparative data.
- 9.4 Appendix 4: Letter dated 22 November 2019.
- 9.5 Appendix 5 – responses from taxi trade representatives.

THE CITY OF EDINBURGH COUNCIL  
CIVIC GOVERNMENT (SCOTLAND) ACT 1982

## FARE TABLE FOR TAXIS

With effect from 18 June 2018

### FOR UP TO 2 PASSENGERS

<b>TARIFF 1</b> Monday - Friday 6am – 6pm	<b>TARIFF 2</b> Monday - Friday 6pm – 6am the following day 6am Saturday – 6am Monday
<b>TARIFF 3</b> Monday - Friday 6am – 6pm during Christmas and New Year	<b>TARIFF 4</b> Monday - Friday 6pm – 6am the following day 6am on Saturday – 6am Monday during Christmas and New Year
<b>CHRISTMAS</b>	6pm on 24 December to 6am on 27 December
<b>NEW YEAR</b>	6pm on 31 December to midnight on 2 January

CHARGES	TARIFF 1	TARIFF 2	TARIFF 3	TARIFF 4
<ul style="list-style-type: none"> <li>Initial hire not exceeding 516m</li> <li>Initial 105 seconds of waiting time</li> <li>Combination of initial time and distance</li> </ul>	£2.60	£3.60	£3.60	£4.60
<ul style="list-style-type: none"> <li>Each additional 174m up until 1908m and thereafter each additional 201m</li> <li>Each additional 37 seconds of waiting time</li> <li>Combination of additional time and distance</li> </ul>	£0.25	£0.25	-	-
<ul style="list-style-type: none"> <li>Each additional 184m up until 1988m and thereafter each additional 213m</li> <li>Each additional 39 seconds of waiting time</li> <li>Combination of additional time and distance</li> </ul>	-	-	£0.35	£0.45

### EXTRA PAYMENTS

<b>When more than 2 passengers</b>		<b>Each</b>	<b>£0.20</b>
<b>Note:</b> Only 2 children under 12 years will be reckoned as one passenger. No extra fare will be charged for one child under 5 years of age.			
<b>Each Passenger must be properly seated</b>			
<b>Hires ending at Edinburgh Airport Inner Drop-off Zone</b> (See note 4 below)			<b>£1.00</b>
<b>Call Out Charge</b>	<b>£0.80</b>	<b>Airport Pickup</b>	<b>£2.80</b>
Applicable when pre-booked		For hires commencing at Edinburgh airport	<b>maximum</b>
<b>Cancellation Fee</b>	<b>£2.20</b>	<b>Cleaning Fee</b> Applicable when taxi is soiled (by travel sickness)	<b>£50.00</b>
Applicable when taxi is pre-booked but not used			

### NOTES

- (1) The above Tariff is applicable only within the City of Edinburgh.
- (2) Any hire which terminates outside the City of Edinburgh area – FARE MUST BE NEGOTIATED AND AGREED WITH DRIVER BEFORE THE JOURNEY COMMENCES.
- (3) A copy of the Licensing Conditions can be inspected at the Council's Licensing Offices, 249 High Street, Edinburgh, EH1 1YJ and downloaded from [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)
- (4) The Airport Extra is only payable if passenger is dropped off in the covered inner drop-off zone at Edinburgh Airport and the driver has explained to the passenger before the start of the journey - (1) He will take the passenger to the drop off point just beside the airport terminal and that there is a £1 extra for this. (2) If the passenger states he is disabled, the £1 extra still has to be paid, but the driver understands that the passenger can reclaim this from the airport at the drop-off point. (3) If the passenger wishes to avoid the £1 extra, he can be taken to an outer drop-off point. However, this is further from the airport terminal, involves the use of a free shuttle bus and will require more time for the passenger to get to the airport terminal.
- (5) Any airport pickup fee at the airport incurred by the driver subject to a maximum of £2.80

### COMPLAINTS

Any hirer aggrieved at the level of the fare charged for any hire or for any other reason may discuss the matter with the Taxi Licensing Officer (0131 529 4250). Any complaint must be made in writing and addressed to the

Complaints Officer, Licensing Service, The City of Edinburgh Council, 249 High Street, Edinburgh EH1 1YJ, and should include the vehicle's licence number and time and date of the incident.



## **Fare review 1**

City of Edinburgh Council

### **Final Report**

1 | <revision>

November 2019



**Fare review 1**

Project No: Fares Review 1  
Document Title: Final Report  
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Date: November 2019  
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**Document history and status**

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		Final Report		LR	



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**Appendix A. Additional Information**

# 1. Introduction

## 1.1 General

This study has been conducted by Jacobs on behalf of City of Edinburgh Council (CEC). The overall objective is to carry out a review of the taxi fare tariff in Edinburgh. The study will review the current fare tariff and advise on any changes. In terms of Section 17 of the Civic Government (Scotland) Act 1982, the Council must fix maximum scales for the fares and other charges in connection with the hire of a taxi. In terms of Section 17(2) of the said Act (as amended by Section 174(3) of the Criminal Justice and Licensing (Scotland) Act 2010) the Council has to review these scales on a regular basis. The Council must fix scales within 18 months beginning with the date on which the scales came into effect. In carrying out a review, the Council is required to consult with persons or organisations appearing to it to be, or to be representative of, the operators of taxis operating within its area.

The Second Edition of the Scottish Government's Licensing of Taxis and Private Hire Cars Best Practice Guidance for Licensing Authorities, issued in April 2012, refers Councils carrying out taxi fare reviews to pay particular regard to advice contained in paragraphs 2.34 – 2.37 of Scottish Development Department Circular 25/1986.

"The Secretary of State expects that in fixing fares authorities will want to pay primary regard to the costs incurred by the trade, having regard to the capital costs (including interest payments) of the vehicles, the costs of maintaining and replacing them to the standards required by the licensing authority, of employing drivers and the prevailing level of wages and costs in related road transport industries. In the Secretary of State's view the public interest is better served by ensuring that the maintenance of an adequate taxi service by giving the trade a fair return, than by depressing fares for social reasons, however understandable. If fares are fixed at a level higher than the market can stand, the trade is free to reduce them".

## 1.2 Background to fares in Edinburgh

In line with the Civic Government (Scotland) Act 1982, licensing authorities are required to review and fix the scale of fares and other charges which may be used by taxis licensed within the city. This review must take place at intervals not greater than 18 months. The current fares were last reviewed by the Regulatory Committee in May 2018 and councillors agreed to an increase of 50p on the flag and 6% on the increments on T1 and T2.

## 1.3 Age limitation and emission standards

On 16 March 2016 the Regulatory Committee agreed to revise the policy on Taxis and Private Hire Cars. This policy change came effective from 7 May 2018 and introduced an age limit for taxis and private hire cars as well as an emission policy.

This policy set out that:

- **Effective 1 April 2020** a taxi or private hire car can be submitted for test prior to the 10<sup>th</sup> anniversary of its registration for renewal of licence and can continue to operate until the expiry of that licence period.
- **Effective 1 April 2020** Any taxi or private hire car which is converted to LPG will be allowed a further 4 years of operation.

In addition to the age limits set out above the committee introduced emission standards for vehicles.

- **Effective 1 April 2019** no Taxi or private hire car will thereafter be accepted for test unless it is Euro 5 or above. Any Euro 0-4 Taxi or private hire car which has passed its test and is licensed prior to 1 April 2019 may continue to be operated until its licence expires or **31 Mar 2020** whichever date is earliest.
- **4. Effective 1 April 2022** no Taxi or private hire car will thereafter be accepted for test unless it is Euro 6 or above. Separately to this requirement, any Euro 5 Taxi or private hire car that has passed its test and is licensed prior to 1 April 2022 may continue to be operated until its licence expires or **31 Mar 2023** whichever date is earliest.

For those vehicles not currently licensed by City of Edinburgh Council, no vehicle will be accepted for licensing as a taxi or private hire car or replacement vehicle for an existing Taxi or private hire car licence unless it is a Euro 6,

#### 1.4 Low Emission Zone (LEZ)

City of Edinburgh Council plan to implement a Low Emission Zone by December 2020. The proposals include a LEZ which applies both to the city centre for all vehicles, and city wide for only commercial vehicles (buses, coaches, heavy goods vehicles, light goods vehicles, vans, taxis, and private hire cars).

The proposals as they currently stand require all diesel vehicles to be Euro 6 compliant by 2021 and petrol vehicles to be Euro 4 standard. Consultation on these proposals was held over the summer and a further report is due to be submitted in October 2019.

## 2. Review of the Current Fare Tariff

### 2.1 Background

City of Edinburgh Council's current fare tariff is detailed on the following page (Figure 2.1). The current fare tariff has been in existence since June 2018 and is arranged in a series of four tariffs and extra charges and payments. Tariff 1 operates Monday to Friday 6am to 6pm and Tariff 2 operates Monday to Friday 6pm to 6am and all day Saturday and Sunday. In addition to these two tariffs there are additional tariffs for the Christmas and New Year period. Tariff 3 is operational 6am to 6pm over Christmas and New Year and Tariff 4 is operational 6pm – 6am Monday to Friday and all day Saturday and Sunday during Christmas and New Year. The Christmas period is defined as 6pm 24<sup>th</sup> December to 6am 27<sup>th</sup> December. The New Year period is defined as 6pm 31<sup>st</sup> December to midnight 2<sup>nd</sup> January.

In addition to these four tariffs there are a series of additional payments for soiling, additional passengers and call out charges. Table 2.1 details the current fare for a 1 and 2 mile journey at each tariff. The publication Private Hire and Taxi Monthly issues monthly league tables of the fares for 365 authorities over a two-mile day time journey. Each journey is ranked with one being the most expensive. The September 2019 table shows Edinburgh rated 96<sup>th</sup> in the table, indicating that Edinburgh has higher than average fares. Table 2.2 provides a comparison of where a selection of other authorities in Scotland rank in terms of fares, showing that fares in Edinburgh are mid-range in comparison to other similar Scottish authorities and less than average overall.

**Table 2.1 Detail of fares of a 1 and 2 mile journey at each tariff**

Tariff	1 mile fare	2 mile fare
Tariff 1	£4.35	£6.35
Tariff 2	£5.35	£7.35
Tariff 3	£5.70	£7.30
Tariff 4	£7.30	£10.90

**Table 2.2 - Comparison of neighbouring and/or comparable authorities in terms of fares (Source Private Hire and Taxi Monthly, September 2019)**

Local Authority	Rank
East Lothian	19
Fife	60
Glasgow	71
<b>City of Edinburgh</b>	<b>96</b>
Midlothian	105
West Lothian	249
Falkirk	258



Figure 2.1 Current Fare Card

**THE CITY OF EDINBURGH COUNCIL  
CIVIC GOVERNMENT (SCOTLAND) ACT 1982  
CHANGES TO TAXI FARE TARIFF**

**FOR UP TO 2 PASSENGERS**

<b>TARIFF 1</b> Monday - Friday 6am – 6pm	<b>TARIFF 2</b> Monday - Friday 6pm – 6am the following day 6am Saturday – 6am Monday
<b>TARIFF 3</b> Monday - Friday 6am – 6pm during Christmas and New Year	<b>TARIFF 4</b> Monday - Friday 6pm – 6am the following day 6am on Saturday – 6am Monday during Christmas and New Year
<b>CHRISTMAS NEW YEAR</b>	6pm on 24 December to 6am on 27 December 6pm on 31 December to midnight on 2 January

CHARGES	TARIFF 1	TARIFF 2	TARIFF 3	TARIFF 4
<ul style="list-style-type: none"> <li>Initial hire not exceeding 516m</li> <li>Initial 105 seconds of waiting time</li> <li>Combination of initial time and distance</li> </ul>	£2.60	£3.60	£3.60	£4.60
<ul style="list-style-type: none"> <li>Each additional 174m up until 1908m and thereafter each additional 201m</li> <li>Each additional 37 seconds of waiting time</li> <li>Combination of additional time and distance</li> </ul>	£0.25	£0.25	-	-
<ul style="list-style-type: none"> <li>Each additional 184m up until 1988m and thereafter each additional 213m</li> <li>Each additional 39 seconds of waiting time</li> <li>Combination of additional time and distance</li> </ul>	-	-	£0.35	£0.45

**EXTRA PAYMENTS**

<b>When more than 2 passengers</b>	Each	£0.20
<b>Note:</b> Only 2 children under 12 years will be reckoned as one passenger. No extra fare will be charged for one child under 5 years of age.		
<b>Each Passenger must be properly seated</b>		
<b>Hires ending at Edinburgh Airport Inner Drop-off Zone</b> (See Note 4 below)	£1.00	
<b>Call Out Charge</b> Applicable when pre-booked	£0.80	<b>Airport Pickup</b> For hires commencing at Edinburgh airport £2.80 maximum
<b>Cancellation Fee</b> Applicable when taxi is pre-booked but not used	£2.20	<b>Cleaning Fee</b> Applicable when taxi is soiled (by travel sickness) £50.00

**NOTES**

- (1) The above Tariff is applicable only within the City of Edinburgh.
- (2) Any hire which terminates outside the City of Edinburgh area – FARE MUST BE NEGOTIATED AND AGREED WITH DRIVER BEFORE THE JOURNEY COMMENCES.
- (3) A copy of the Licensing Conditions can be inspected at the Council's Licensing Offices, 249 High Street, Edinburgh, EH1 1YJ and downloaded from [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)
- (4) The Airport Extra is only payable if passenger is dropped off in the covered inner drop-off zone at Edinburgh Airport and the driver has explained to the passenger before the start of the journey - (1) He will take the passenger to the drop off point just beside the airport terminal and that there is a £1 extra for this. (2) If the passenger states he is disabled, the £1 extra still has to be paid, but the driver understands that the passenger can reclaim this from the airport at the drop-off point. (3) If the passenger wishes to avoid the £1 extra, he can be taken to an outer drop-off point. However, this is further from the airport terminal, involves the use of a free shuttle bus and will require more time for the passenger to get to the airport terminal.
- (5) Any airport pick up fee at the airport incurred by the driver subject to a maximum of £2.80

**COMPLAINTS**

Any hirer aggrieved at the level of the fare charged for any hire or for any other reason may discuss the matter with the Taxi Licensing Officer (0131 529 4250). Any complaint must be made in writing and addressed to the Complaints Officer, Licensing Service, The City of Edinburgh Council, 249 High Street, Edinburgh EH1 1YJ, and should include the vehicle's licence number and time and date of the incident.

## 3. Benchmarking

### 3.1 Introduction

In order to compare taxi tariffs in other cities in Scotland and the UK a benchmarking exercise has been undertaken. Benchmarking has been undertaken on the following:

- Tariffs
- Cost of a 2, 3- and 5-mile journey
- Additional passenger cost
- Call Out Charges
- Cancellation fees
- Wording around tolls;
- Wording around soilage charges.

All Scottish cities and a number of Core Cities in England have been used for comparison.

### 3.2 Tariffs

Figure 3.1 provides detail as to when different standard tariffs apply across days of the week and times of the day for the benchmarked authorities. The majority of authorities have two tariffs – one for day time and one for night time and these apply across the whole week. The time that the night-time tariff applies does vary with the earliest commencing at 6pm and the latest at 11pm. Dundee, Aberdeen, Birmingham and Liverpool have introduced a separate night time tariff for weekends.

Edinburgh and Leeds's night time tariff commences the earliest of all benchmarked authorities. Most of the benchmarked authority's night time tariff commences after 7pm. However, in Edinburgh it is our understanding that 6pm is also when the night time shift drivers commence.

	6am	7am	8am	9am	10am	11am	12pn	1pm	2pm	3pm	4pm	5pm	6pm	7pm	8pm	9pm	10pm	11pm	12an	1am	2am	3am	4am	5am
Edinburgh Weekday																								
Edinburgh Weekend																								
Dundee Weekday																								
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Stirling Weekday																								
Stirling Weekend																								
Perth Weekday																								
Perth Weekend																								
Perth Sunday																								



### 3.3 Comparison of 1, 2, 3 and 5 mile fares

Figure 3.2 details the current weekday daytime fare for these authorities over a distance of 1, 2, 3 and 5 miles. It illustrates that Edinburgh is towards the higher end of fares at all distances

**Figure 3.2 Comparison at 1,2, 3 and 5 miles**

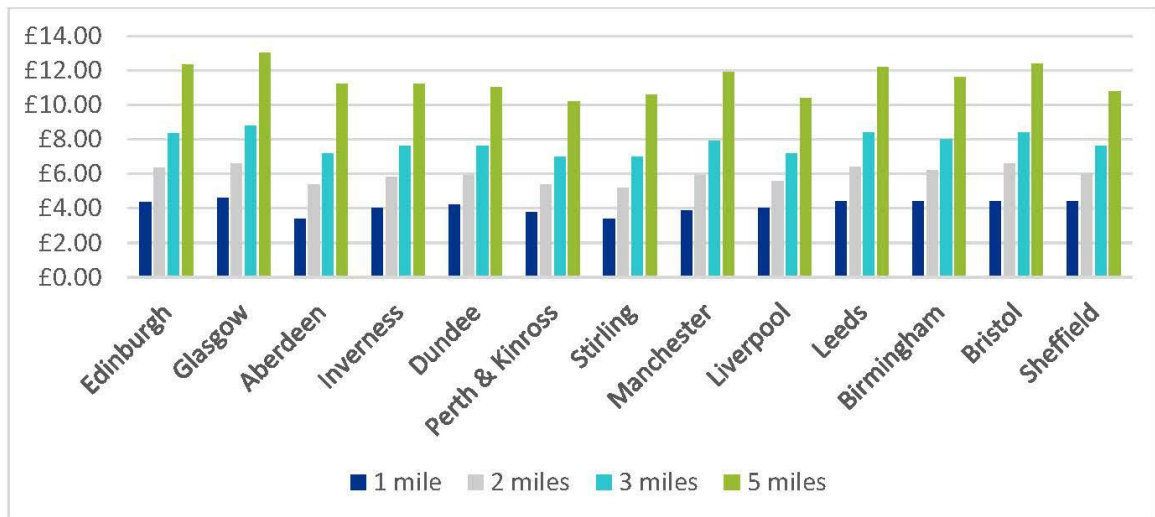
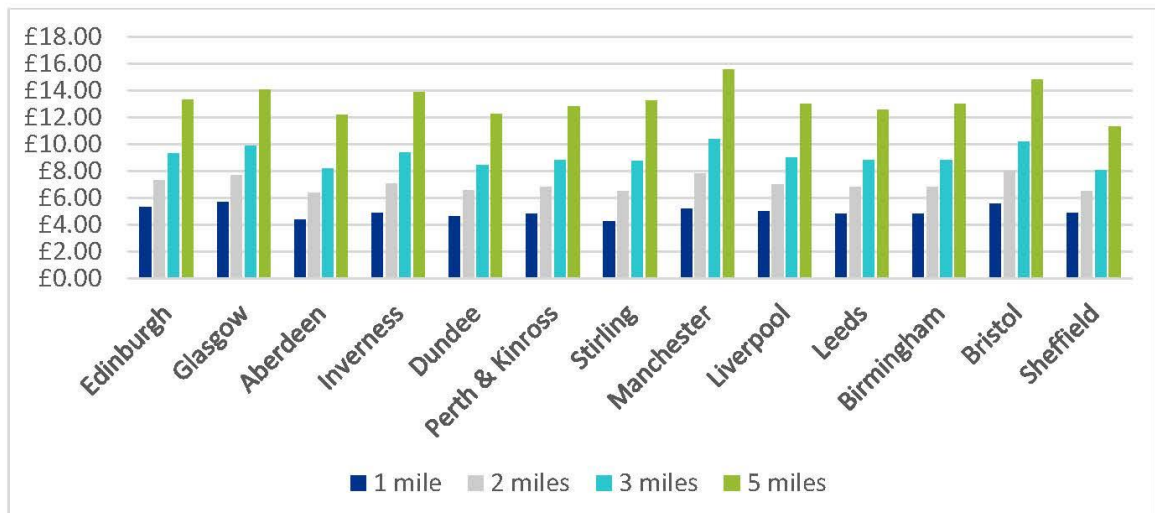


Figure 3.3 details the current night time fares for these authorities over a distance of 1, 2, 3 and 5 miles. It illustrates that Edinburgh is just above the average of benchmarked fares for all distances.

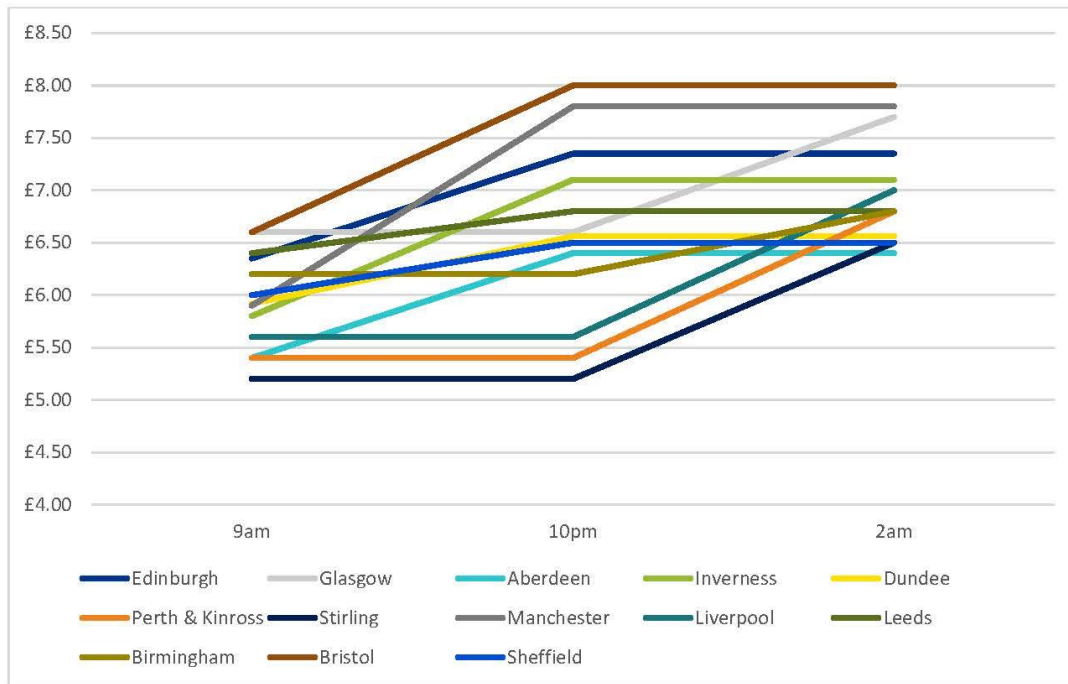
**Figure 3.3 Comparison at 1,2, 3 and 5 miles**



### 3.4 Fare for a 2-mile journey

Figure 3.3 compares daytime and night time tariffs across the benchmarked authorities. Fares have been benchmarked at three separate time periods on a standard weekday – 9am, 10pm and 2am. The average cost of a two mile journey at 9am is £5.95; 10pm is £6.58 and £7.02 at 2am. Edinburgh is higher than average across all time periods.

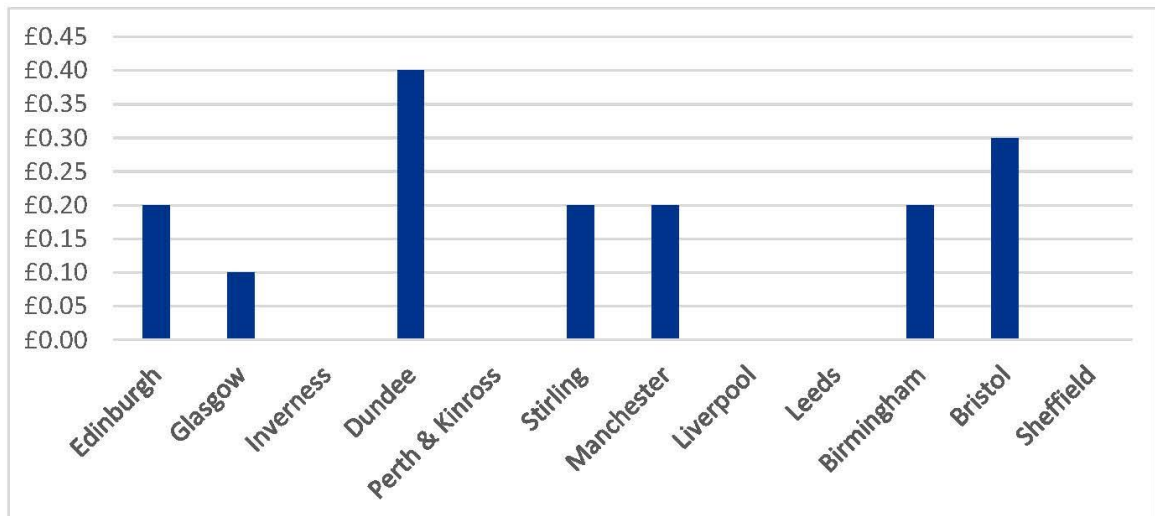
**Figure 3.3 Tariff 1 and Tariff 2 comparisons**



### 3.5 Additional Passenger Charge

In Edinburgh the fare card is applicable for journeys with up to 2 passengers. For journeys with more passengers there is an 'additional passenger charge' of 20p. Figure 3.4 illustrates that additional passenger charges do not apply in all authorities benchmarked. Of those authorities that do stipulate a charge the most expensive is in Dundee at 40p per additional passenger and the lowest is Glasgow at 10p.

**Figure 3.4 Additional Passenger Charges**



### **3.6 Call out charges**

In Edinburgh the fare card allows drivers to add 80p on to the fare when they have been prebooked. Out of the benchmarked authorities only Highland (£1), Aberdeen (£1) and Stirling (50p) have comparable charges.

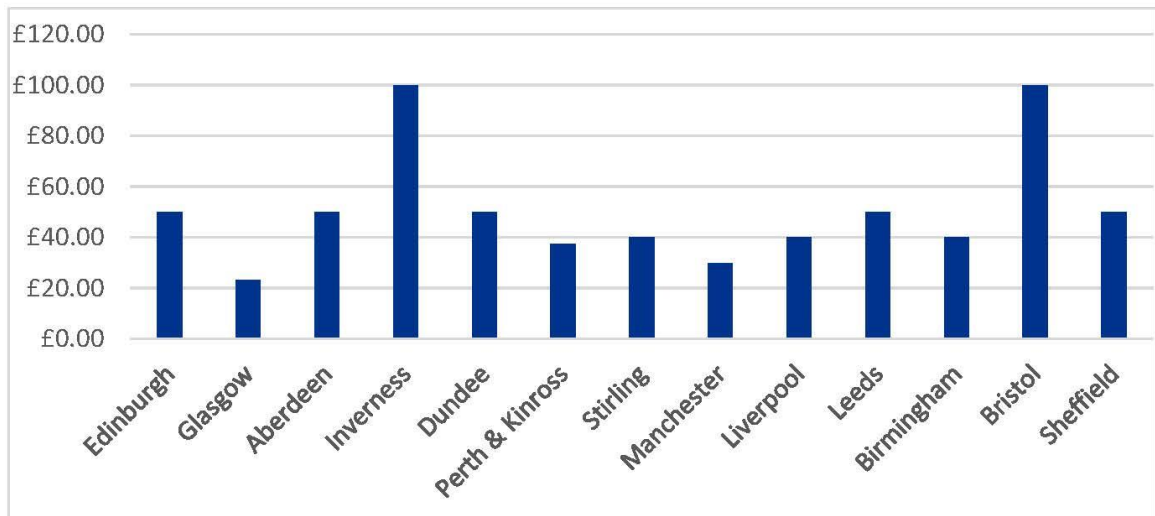
### **3.7 Cancellation fees**

Edinburgh is the only authority who charge a cancellation fee. This is applicable when a taxi is prebooked but not used.

### **3.8 Soiling charges**

Figure 3.5 details the range of charges in place for soiling incidents. Highland and Bristol have the highest charge at £100 and Glasgow has the lowest at £23.40. Edinburgh has a charge of £50.

**Figure 3.5 Soiling charges**



The terminology around soiling charges is very different for the benchmarked authorities. Table 3.1 provides this detail.

**Table 3.1 Soiling charges**

Authority	
Edinburgh	Cleaning fee – applicable when taxi is soiled (by travel sickness)
Glasgow	Soiling charge (only being appropriate in relation to an anti-social act)
Aberdeen	A charge per incident of fouling a taxi
Highland	Soiling Charge – maximum of £100.00 payable by an offending passenger, where a vehicle requires to be removed from service for cleaning in order for it to be restored to a usable state and condition.
Dundee	Soiling Charge – which results in the vehicle being taken off service for any period of time, minimum £25, maximum £50.
Perth & Kinross	A charge of £37.50 for any person soiling the vehicle.
Stirling	Soiling charge - £40
Manchester	Fouling charge - £30

Liverpool	A charge of £40 for cleaning the <b>inside</b> of the vehicle in the event of soiling or fouling and a charge of £10 for soiling or fouling of the <b>outside</b> of the vehicle
Leeds	Maximum charge for fouling £50
Birmingham	An additional charge may be made in the event of SOILAGE OR FOULING OF THE VEHICLE
Bristol	Spoilage or fouling of the vehicle
Sheffield	Fouling the vehicle MAXIMUM charge £50

### 3.1 Tolls and Fees

Edinburgh Airport charges drivers a fee for dropping off and picking up passengers. The fare card permits drivers to recover £1 of the fee incurred for dropping off and £2.80 maximum for the fee incurred in picking up a passenger. The benchmarking exercise identified that all authorities deal with the issue of recovering tolls and fees differently, as detailed in Table 3.2. Some authorities make no reference to tolls or fees.

**Table 3.2 Wording around tolls**

Authority	
Edinburgh	Hires ending at Edinburgh Airport Inner Drop-off Zone £1.00  Airport Pickup -For hires commencing at Edinburgh airport £2.80 maximum
Aberdeen	For each hiring commencing at the Airport (Airport zoned taxis only) £1  For each hiring dropping off passengers at the inner forecourt of the Airport (Non-airport zoned taxis only) £2  For each hiring commencing at Aberdeen Railway Station £0.50
Highland	Any bridge tolls or ferry charges, where applicable.  Any airport car parking charges (Only chargeable on production of a receipt to the hirer)
Manchester	Piccadilly Station charge 60p  Manchester Airport Charge – Barrier at the station 60p  Drop off - £1.80, Pick up £1.60
Liverpool	Tolls to and from the destination (including Tunnel, Motorway, Bridge and Airport tolls)

Leeds	The above fares do not include tolls, car park fees, entry/exit fees or any other such fees paid by the driver to pay to complete the journey. These will be added to the fare displayed at the end of the journey
Birmingham	Any road toll or barrier charge incurred in the execution of the hiring
Bristol	Every hiring commencing at Temple Meads Railway Station (unless pre-booked) 20p

## 4. Consultation – Trade

### 4.1 Introduction

Three trade meetings were held with representatives of the taxi trade. The approved minutes of all meetings are appended to this report (Appendix 2).

### 4.2 Trade Meeting 1

The first meeting was held on 31<sup>st</sup> July 2019. The objectives of this meeting were to garner views on the existing fare card and any proposed increases in the fare card. Invitees and attendees are detailed in Table 3.1

**Table 3.1 Meeting attendees**

Name	Representing
Les McVay	City Cabs
Mark McNally	Central Taxis
Tony Kenmuir	Central taxis
Laura Lucas	Central Taxis
Scott Blair	Unite
Jacqui Guthrie	Unite

During this meeting the trade presented a note that detailed the summary of a meeting convened by the trade (Appendix 1). The note covered a number of issues that the trade wished to be considered by City of Edinburgh Council:

- Edinburgh is in the top 10 locations for cost of living
- Glasgow trade have a higher fare tariff and pay lower fees to the council
- Licence fees increase 3% annually but the tariff reviews are only every 18 months
- Drivers are now having to pay more for road tax as vehicles are classed as 'luxury vehicles'
- Insurance premiums have risen 10% in the last 18 months
- City of Edinburgh Council are introducing training that costs £300 and results in a loss of work/income of 4 days
- Rising diesel costs
- Servicing costs have increased
- Concerns around recouping charges at Edinburgh Airport
- Financial Impact of the age and emission restrictions

During the meeting the following was discussed:

- Trade considered the structure of the fare card to be fine but not the weighting of fares – suggestion to increase the flag



- Amending the festive tariff so that T4 is applicable Christmas Day and New Year's Day irrespective of the day of the week
- Retain T4 during night-time on Christmas Eve and New Year's Eve
- Increase the cancellation fee to £4 or £5
- The ability to recover all fees associated with pick up and drop off at Edinburgh Airport
- Rewording of the soiling charge

Jacobs agreed to undertake a benchmarking exercise and report back to the next meeting of the trade.

### 4.3 Trade Meeting 2

The second meeting was held on 15<sup>th</sup> August 2019. The objectives of this meeting were to report back on the benchmarking exercise undertaken. Attendees are detailed in Table 3.2

**Table 3.2 Meeting attendees**

Name	Representing
Les McVay	City Cabs
Mark McNally	Central Taxis
Laura Lucas	Central Taxis
Murray Flemming	Scottish Taxi Federation
Scott Blair	Unite
Jacqui Guthrie	Unite

Following discussion of the benchmarking exercise the trade wished to see the following:

- Trade wanting to see the impact of increasing the flag charge
- Call out charges – attendees wanted to see this increase to £1
- Passenger charges – attendees want to see this increased to 40p per passenger
- Amendments in the conditions to make it compulsory for both public and private hires to accept card payments
- Increase in the cancellation fee to £5
- Amend the wording around the soilage charge in line with that adopted by Highland Council
- Introduce wording around 'tolls' rather than stipulate specific amounts to recoup

### 4.4 Trade Meeting 3

The third trade meeting was held on September 13<sup>th</sup>, 2019. Attendees are detailed in Table 3.3

**Table 3.3 Meeting attendees**

Name	Representing
Laura Lucas	Central Taxis



Murray Fleming	Scottish Taxi Federation
Jacqui Guthrie	Unite

Prior to this meeting Jacobs had circulated a note detailing the impacts on the fare card of the following options:

- Option 1: Increase of the flag only to £3, £4, £4 and £5
- Option 2: Application of CPI at 3.3%

Following discussion of the note the trade stated the following:

- Trade representatives hadn't discussed the option between themselves
- Option 1 and 2 did not provide the trade with a suitable increase
- Jacobs requested to look at a third option – Option 1 together with a 3.3% on the increments.

Following this meeting, Jacobs circulated a note detailing the impacts of Option 3 on the fare card.

## 4.5 Conclusions

Following the final trade meeting, Murray Fleming spoke to all trade representatives regarding the options available to them. On September 18<sup>th</sup> 2019, via email, Murray Fleming confirmed that the trade had come to an agreement stating *'Representatives have unanimously agreed on the following proposals for consideration by CEC and wished to see the following'*:

- Option 3: Amending the flag to £3, £4, £4 and £5 and applying the CPI increase (3.3%) to the increments.
- Additional passenger charge from 20p to 40p
- Cancellation fee increased from £2.20 to £5.
- Soiling of taxi cost to remain the same but wording to be revised.
- All tolls, charges or fees to be recovered by the driver, similar wording to that used on Leeds fare card.

## 5. Consultation - Public

### 5.1 Introduction

A public attitude survey was designed with the aim of collecting information regarding options on taxi fares in Edinburgh. A survey was published online, on the City of Edinburgh Council's Consultation Hub website between 23<sup>rd</sup> August 2019 and 24<sup>th</sup> September 2019 and was hosted by SurveyMonkey. In total, the survey received 345 responses.

A screening question was included at the start of the survey, asking if the respondent was a licenced taxi or private hire car driver/ operator. Out of the responses, 56 participants stated 'yes' in response to the screening question. Therefore, these participants answers have been removed from the analysis to focus on obtaining the views of the general public. Due to this, 289 survey responses were taken forward to analysis.

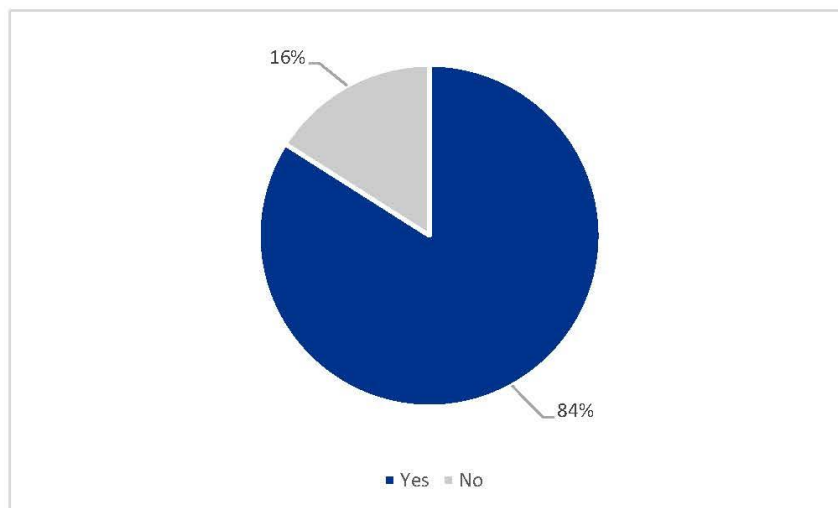
It should be noted that in the tables and figures below, the totals do not always add up to the same amount. This is due to one of two reasons:

- Not all respondents were required to answer all questions;
- Some respondents failed to answer some of the questions that were asked.

### 5.2 General Information

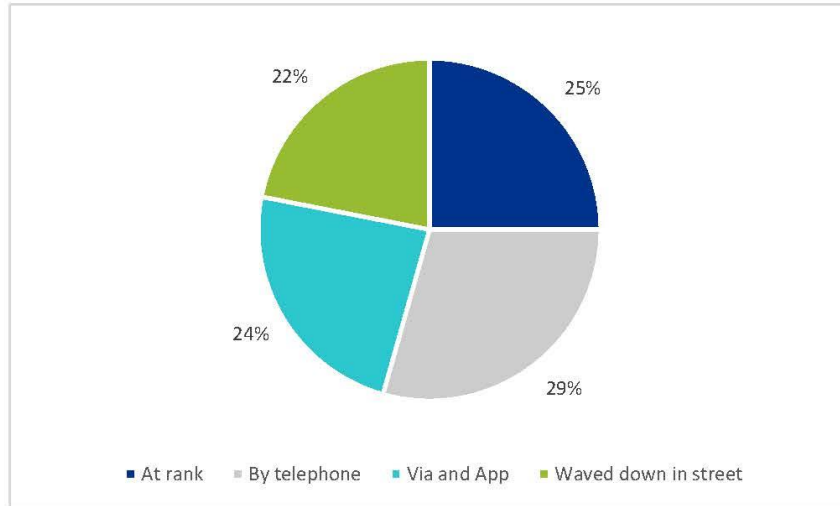
The respondents were asked if they had made a trip by taxi (black cab) in the last 3 months. Figure 5.1 displays the results, with 84% of the survey population stating they had used a taxi in this period.

**Figure 5.1 Have you made a trip by taxi (black cab) in Edinburgh in the last 3 months?**



Those making a trip were asked how they obtained their taxi - Figure 5.2 details the results. The split in how they were obtained is fairly equal, ranging from 22% (waved down in the street) to a maximum of 29% (by telephone). In between lay via an app (24%) and at a specific taxi rank (25%).

**Figure 5.2 How did you obtain your taxi in Edinburgh in the last 3 months?**



Further information was collected from respondents who said they obtained their taxi via an app. Table 5.1 shows the split of which application was used.

**Table 5.1 Application that was used when taxi was obtained via and app**

App	%
City Cabs	38.9
Gett	37.0
Central Taxi	14.8
Ryde	3.7
Free Now	1.9
Halo	1.9
Taxi Operators	1.9

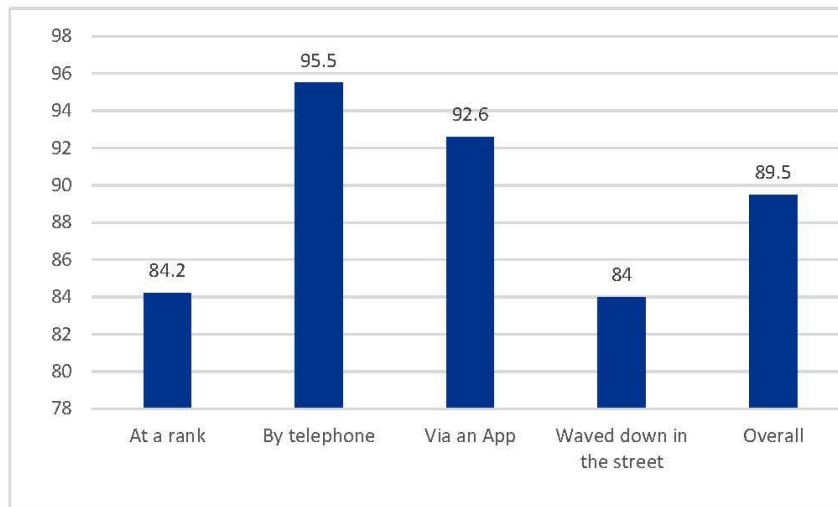
It should be noted that these apps have been identified from answers from the survey itself and some have been grouped together e.g. City cabs, City cabs app, citycabsapp and city cabs app in the data set have all been classified as City Cabs.

Out of the 23% of respondents that booked their taxi via an app in Edinburgh, the City Cabs app and Gett app proved to be the most popular, with three quarters of the group using them.

All respondents who were making a trip, regardless of how they obtained it, were asked if they were satisfied with the time taken and promptness of arrival.

Overall, 89.5% of the respondents were satisfied by the time taken and promptness of its arrival. On closer analysis the highest level of satisfaction came from those who obtained their taxi by pre booking the trip via telephone (95.5%) with the least satisfaction (84%) coming from those who waved a taxi down in the street.

**Figure 5.3 Were you satisfied with the time taken and promptness of its arrival?**



Respondents reported they waited between 0 – 68 minutes for their taxi. From the respondents that assigned a numerical value of time against their wait, the average wait time was 6 minutes.

Trip makers were then asked whether they were satisfied with the cost of their journey. Over half of trip makers were satisfied with the cost of their journey (57%), as seen in Figure 5.4.

**Figure 5.4 Were you satisfied with the cost of your journey?**

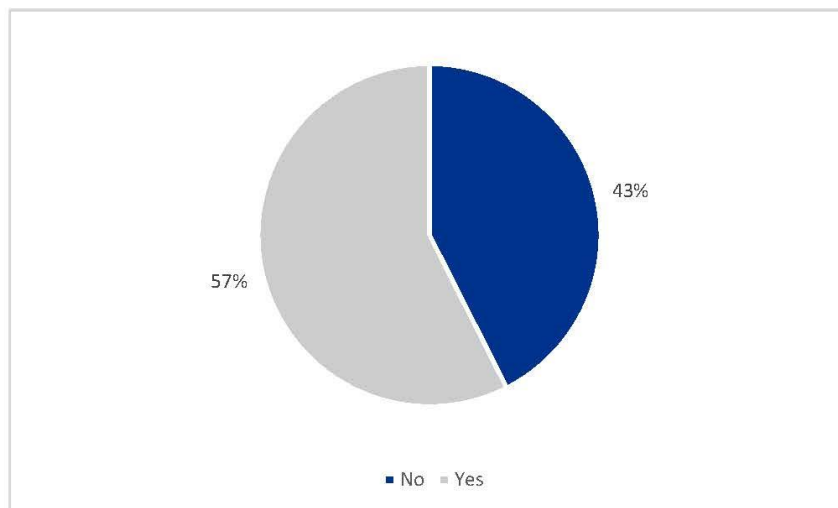
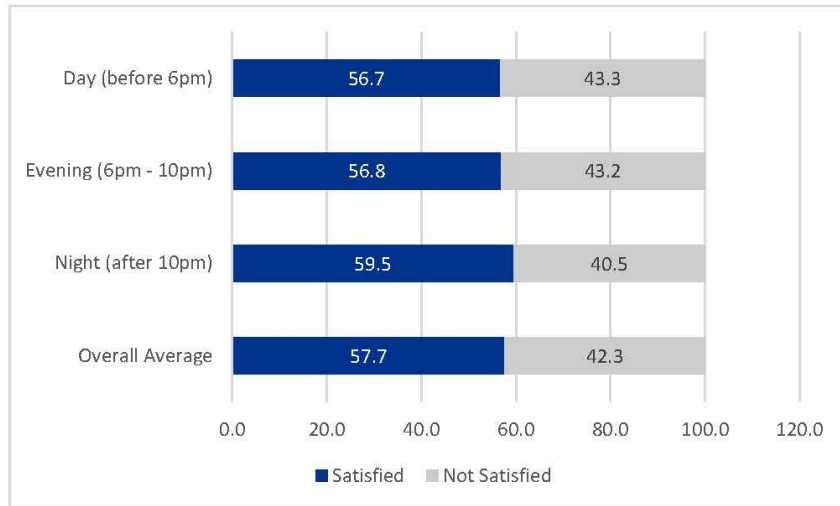


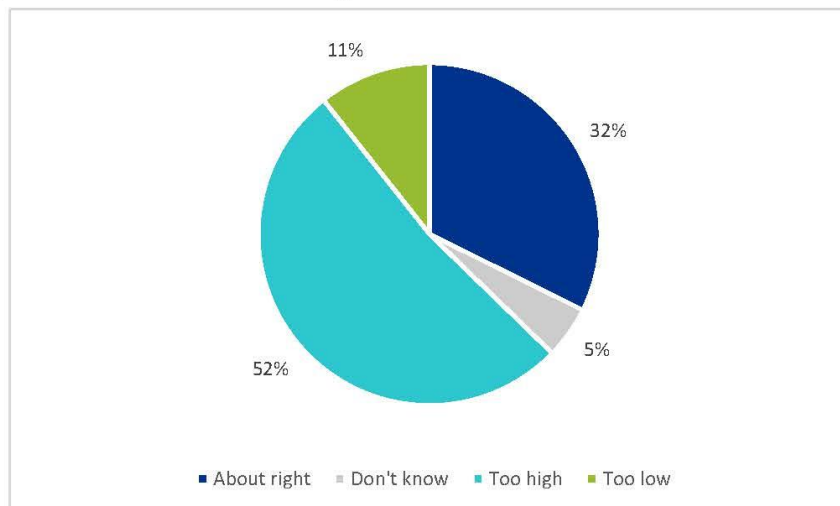
Figure 5.5 documents how this satisfaction with the overall cost varies depending on the time of day the taxi was obtained. Satisfaction was higher for those who used a taxi service at night (after 10pm).

**Figure 5.5 Satisfaction with cost by time of day**



Respondents were then asked a series of questions relating to fares. Firstly, they were asked whether they consider fares in Edinburgh to be too low, too high or about right, there was also an option of don't know. Over half (52%) felt that fares were 'too high', with an additional 32% stating they were 'about right' – this is displayed below in Figure 5.5.

**Figure 5.5 Do you consider taxi fares in Edinburgh to be...?**



Respondents were then asked several questions regarding taxi fare increases and the time their trip took place. The answers to these questions have been collated in Table 5.2 below.

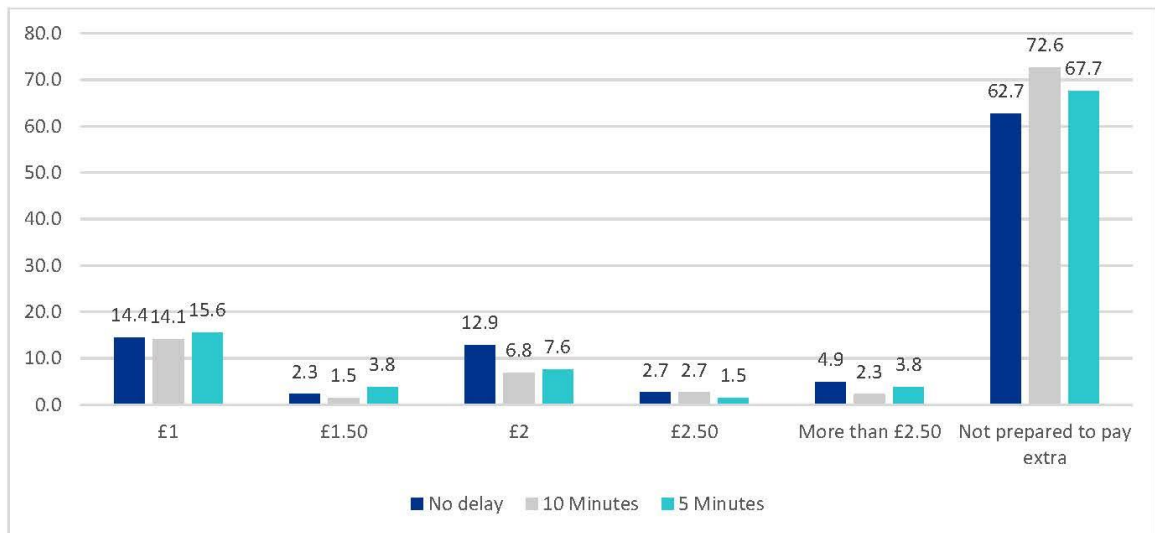
**Table 5.2 Analysis of taxi fare price increase awareness and time specific situations**

	Are you aware that taxi fares in Edinburgh increase after 6pm?	If taxi fares also increased from midnight to 5am, would you still travel by taxi after midnight?
Yes	65.4%	50.6%
No	33.5%	25.9%
Don't Know	1.1%	23.6%

Nearly two thirds of the respondents (65.4%) were aware that taxi fares increase in price after 6pm and 33.5% were not aware.

Respondents were then given the scenario of taxi fares increasing between midnight and 5am and were asked if they would still use them if this were the case. Some 50.6% of them stated that they would still use a taxi for their trip if this were to happen. The rest were equally split (25.9% and 23.6%) on either not using a taxi or unsure if they would if the fare were to increase between midnight and 5am.

Respondents were then asked to consider a range of scenarios in relation to the length of time they would be prepared to wait for a taxi. Respondents were asked whether they would be prepared to pay extra should the delay be limited by either 5 or 10 minutes, or no delay at all. Figure 5.6 shows these results.

**Figure 5.6 What would you be prepared to pay to reduce delay?**

Most respondents would not be prepared to pay any extra and this percentage increases as the time of delay increases. Some 62.7% would not be prepared to pay any more even if it meant there was no delay at all. From the data obtained it's clear the majority of people are not prepared to pay any more to reduce the length of time that they have to wait for a taxi.

Respondents were then asked about their intention to travel via taxi over the festive period. Some 32.3% state that they do intend to travel via taxi over the festive period, currently, 26.2% are unsure of their plans. Of the 41.4% of respondents that said they are not planning on using a taxi over the festive period, 41.3% said it is

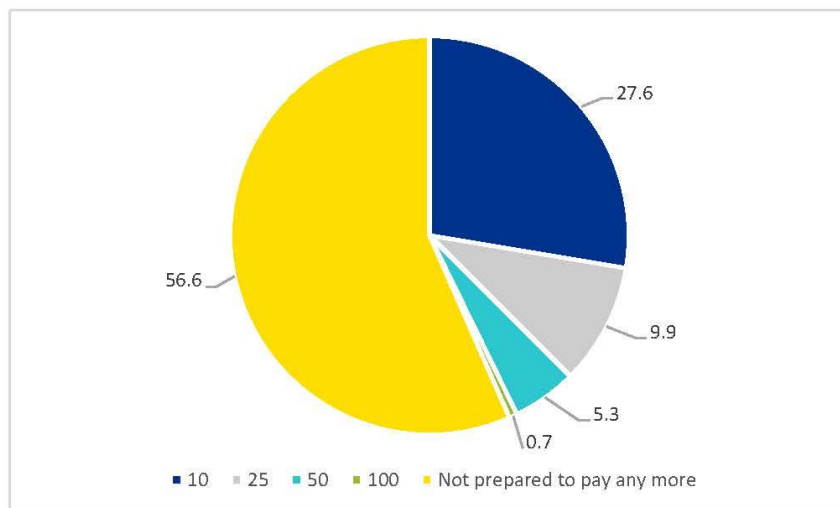


because they simply do not need to, 22% accounted it to the cost and another 22% will use a different mode of transport; public transport, driving themselves or walking.

Figure 5.7 looks at if people would be willing to pay more than the average fare (10%, 25%, 50%, 100% or no more) in order to reduce the delay during the festive period. Of those planning to travel by taxi over the festive period, half (56.6%), of those answering would not be prepared to pay any more than the average fare to reduce the level of delay. Over a quarter, 27.6% would be willing to pay an extra 10% to obtain a taxi with less of a delay. The higher the percentage increase, the fewer people are prepared to pay more.

In conclusion, the majority of respondents planning to travel by taxi over the festive period are not prepared to pay more in order to reduce delay.

**Figure 5.7 How much more would you be prepared to pay to reduce the level of delay during the festive period?**



### 5.3 Summary

Out of the 345 surveys that were completed online, only 289 were taken forward to analysis. Through the analysis above, some key summaries have been made:

- Of the respondents, 84% have used a taxi in Edinburgh within the last 3 months;
- 89.5% were satisfied with the promptness of their taxi;
- Obtaining a taxi via the telephone was both the most common way of ordering one (29%) and provided the highest satisfaction in relation to promptness of arrival (95.5%);
- 57% of the responders were satisfied with the cost and 43% were not;
- Slightly higher satisfaction levels for cost when hiring a taxi during the night (59.5%) when compared to the day (56.7%) or evening (56.8%);
- Some 52% believe that taxi fares are too high;
- 65.4% were aware that taxi fares increased post 6pm;
- Some 56.6% stated that if the fares were to increase between midnight and 5am they would still use taxis and a further 23.6% said they were unsure;

- The majority are not prepared to pay any more to reduce the length of time that they have to wait for a taxi (62.7%); and
- Currently only 32.3% intend to use taxis over the festive period, of them, 56.6% say they would not be prepared to pay any more to reduce a delay over the festive period.



## 6. Consultation – Stakeholder

### 6.1 Introduction

In addition to the trade and public consultation a consultation letter was emailed to a range of stakeholders across Edinburgh. The following groups/organisations were contacted:

- Disability Organisations;
- Business representatives;
- Transport and travel providers;
- Local interest groups including health and education;
- Tourism representatives.

### 6.2 Stakeholder Responses

Responses were received from three organisations with a further two responses from individuals providing personal views rather than on behalf of their organisations. The responses are detailed below.

#### Edinburgh City Private Hire Ltd

A response was received from Edinburgh City Private Hire Ltd. The following points were raised:

- The current format of the Fare Table is relatively straightforward and easy enough to understand;
- Fares are probably about right in comparison to other large cities, any increases should reflect local conditions at the time, but also the respective tariff's in other similar cities across the UK.
- The use of taxis may increase if fares were cheaper but this is the same with anything customers are required to pay for. I think a better question is whether or not the tariff offers the customer "value for money", and that would be taking into account the level of service to the customer, the type of fleet servicing the work, and the professionalism of the drivers involved in providing that service. To simply say that being cheaper would result in more people using the service is not really looking at the issue and all of its complexities;
- I think that the night time tariff is fair enough when you consider the unsociable hours element to a drivers take home pay, and the fact that most customers in Edinburgh are used to the Tariff changing at night, I do not really think that its something that causes any real issues at this point in time;
- There should not be a "party tariff " and Tariff's 3 and 4 should not be dropped.. I would **not** be in favour of it increasing any further however against the standard Tariff's.
- I think it would certainly be simpler having one tariff applicable across the entire festive period rather than 2, but given the nightshift element that already exists in the main tariff then I don't think that its too confusing, and whether it would have an impact on service if we went to 1 also would be debatable;
- The cleaning fee will never truly be reflective of the time the driver spends getting the vehicle fit for purpose again, depending on the incident, and therefor is probably relatively fair as it stands.
- **-Cancellation fee -** given the complexities of the issue and unless the customer is paying by card it is almost impossible to enforce any cancellation on cash paying customers;
- The only other comments I have are on the Airport Pick up charges and the fact that I think that these should always reflect the amount the driver has to pay to pick up, and that it is always in line with the charge levied on the driver, no more and certainly no less.

#### Central Taxis

A response was received from Central Taxis. The following points were raised:

- The fare structure is easy to understand. The fares are lagging behind the times and are low to medium however they are consistent and not subject to surging.
- If the fares were cheaper there would not be any taxis left in the city. The drivers/operators are already working additional hours to afford the running costs;
- The fare difference of £1 between day and night is negligible and the unsociable hours warrant an additional charge. The likelihood of transporting a more challenging passenger is also increased for the nightshift drivers.
- The two festive fare tariffs easy to understand and interpret
- The festive tariffs (3 & 4) should reflect the peaks of that holiday period and the highest tariff (tariff 4) should be in place in its entirety on Xmas day and New year's day regardless which day of the week Dec 25<sup>th</sup> and Jan 1<sup>st</sup> fall on.
- The festive Tariff currently commences on 24<sup>th</sup> Dec at 6pm which is acceptable and runs until 6am on 27<sup>th</sup> Dec. Then it recommences on 31<sup>st</sup> Dec at 6pm and runs until midnight on 2<sup>nd</sup> Jan. We believe this is appropriate to incentivise drivers to come out to work however due to Xmas day and New year's day sometime falling on a midweek as opposed to the weekend day taxi drivers/operators earnings can vary. We agree that the day of the week is irrelevant and if a driver is sacrificing Xmas day or New Year's day then he/she should be paid at the highest agreed Tariff rate. For example if a driver happens to work on a dayshift on Xmas day and it's a Friday he or she will be paid at a lower rate (tariff 3) than a driver working Boxing day on a Saturday (tariff 4) due to the current tariff structure. We would like to see that resolved and Xmas day and New year's day paid at tariff 4 rate in its entirety irrespective of what day it is;
- Currently the additional passenger charge is set at 20p extra and has been that amount for many years. We would like to see an increase in the charge to 40p.
- Satisfied there is no additional charge for luggage;
- The cleaning fee is currently set at £50 which is accepted by the trade as a fair amount however we would like to see the wording adjusted on the tariff sheet as it currently states that it can only be charged for travel sickness. That is only one of many reasons a taxi could be considered soiled. If a driver requires the taxi to be taken off the road to be cleaned/valeted then the burden should lie with the passenger responsible for causing the situation. We would like to see the amount remain at £50 but NOT limited to travel sickness;
- We would like to see the Cancellation fee increased from £2.20 to £5.00 in line with what the app companies are charging. We do not see this as an income stream but as a deterrent to dissuade customers from booking with multiple companies and taking whichever is first to arrive thus preventing additional emissions, adding to congestion and unnecessary vehicle movement;
- The taxi trade is currently under unprecedented financial burdens that are creating extreme difficulty for many owner operators. With the requirement now to take finance on a choice of 3 vehicles to comply with the age and emissions regulations the trade finds the cost increasing at a pace significantly greater than the tariff review rises. The choice of vehicles available to an Edinburgh taxi driver are £37k, £45K and over 60K. The finance is generally for a term of 5 years however due to the absence of a cap on Private Hire Vehicles there is no certainty for a taxi owner/operator that they will be able to meet the finance payments of a new taxi vehicle in 5 years' time due to the dilution of work. The lack of enforcement also results in loss of a number of jobs from the taxi ranks where the Private Hire vehicle regularly pick up in contravention of their licencing conditions in far cheaper vehicles that are unsuitable for wheelchairs. There is also the cost related to the introduction of driver training which will be £300 and a loss of 3 days wages. There are the credit card charges that have been passed on to the drivers since the last tariff review. A huge increase in the region of 10% has affected the insurance policies of the operators and the fees and charges from the council have also increased over the last 18 months in the region of 4%. Circuit fees from both the main taxi companies have been subject to at least 2 increases since the last review. All these factors have had a huge impact on the taxi operators and unfortunately the number of drivers graduating from private hire has diminished as the vehicles are significantly cheaper, the value of work from rank and hail has decreased enormously as passengers now don't walk out on the street or search for a rank if they want a journey, they now take out a mobile phone and have the vehicle come to them.

The taxi trade needs a significant rise just to stop us falling off the cliff edge and regardless of how much is agreed by the regulator it will only be a contribution to the loss of earnings the operators are now dealing with;

- With regards to the airport we would like to see the wording adjusted so the charges can be passed on to the passenger. The trade are obliged by our licencing conditions to ensure we convey the passenger to a destination of their choosing therefore the burden of cost should remain with the passenger. We would like to see the wording in respect of the airport charges changed so we may pass on the cost. The regulator has previously adjusted the tariff sheet at the 18 month review to ensure the drop off charge or the pickup charge was included at the levels the airport set and passed to the customer however it was with a specific monetary figure. Unfortunately the airport then saw fit to increase the amount without consultation and the taxi driver/operators have been subsidising the fares since. We would like to see the wording adjusted to ensure all tolls are passed to the customer regardless of whether the airport adjust the amount again.

#### Edinburgh Airport

Edinburgh Airport responded to the consultation and stated that they would like the airport Drop Off Zone fee raised to £2.00 as this is the current tariff for the 0-5 mins period in the Drop Off Zone. Also, the airport Pick Up fee now sits at £2.90 so we would like this reflected in the fare table.

No other written responses were received as part of the consultation exercise.

## 7. Fare Revision

### 7.1 Background and overall proposed increases

In May 2013, the Regulatory Committee took the decision to use CPI<sup>1</sup> as a means of calculating fare increases – this was based on a consultation with the trade. This was applied in July 2014 and then January 2018, when the index was 104.5. As of August 2019 the index was 108. This results in an increase of 3.3%.

Discussion with the trade identified a further two options for increasing fares. As detailed below the options are::

- Option 1: Amending the flag to £3, £4, £4 and £5
- Option 2: Applying 3.3%
- Option 3: Amending the flag to £3, £4, £4 and £5 and applying 3.3% to the increments

### 7.2 Impact of fare increases

To review the effect of these proposed increases Table 7.1 sets out the resultant cost of a 2 mile, 3 mile and 5 mile fare at Tariff 1 on the three options.

**Table 7.1 Proposed fares for 2, 3- and 5-mile journeys (Tariff 1)**

	2 miles	3 miles	5 miles
<b>Current</b>	<b>£6.35</b>	<b>£8.35</b>	<b>£12.35</b>
Option 1	£6.60	£8.60	£12.60
Option 2	£6.60	£8.60	£12.60
Option 3	£6.75	£9.00	£13.00

Figure 7.1 compares the figures for a 2-mile journey to comparable cities. The average cost of the 2-mile fare across the cities is £5.95. Presently at £6.35 Edinburgh is above this average. Adopting Option 1 or 2 puts Edinburgh to the third most expensive behind Glasgow and Bristol. Option 3 puts Edinburgh to the most expensive authority.

<sup>1</sup> The Consumer Price Index (CPI) is the official measure of inflation of consumer prices on the UK. The CPI calculates the average price increase as a percentage for a basket of 700 goods and services. The basket of goods and services chosen is intended to reflect changes in society's buying habits. The purchase of vehicles – new and second hand, taxi fares, and the operation of personal transport equipment are all included in the index.

**Figure 7.1 Impact of options on a 2 mile fare**

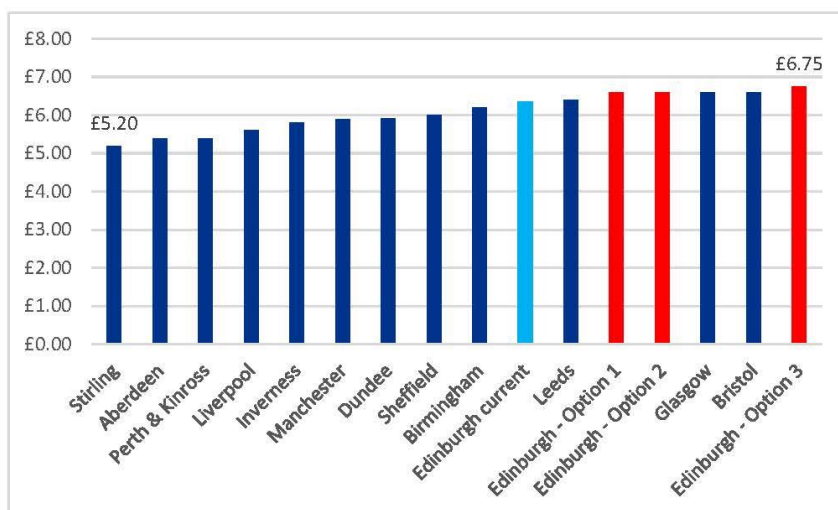
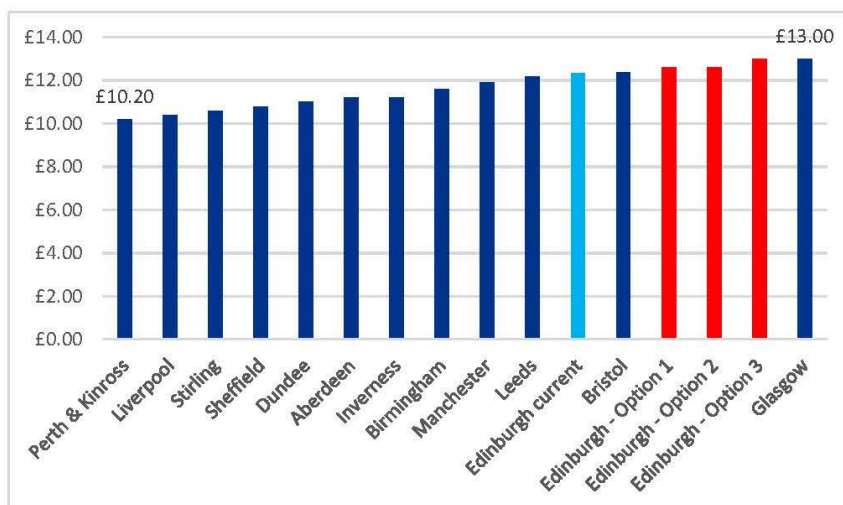


Figure 7.2 compares the figures for a 5-mile journey to comparable cities. The average cost of the 5-mile fare across the cities is £11.45. Presently at £12.35 Edinburgh is above this average. Adopting Option 1 or 2 puts Edinburgh to the second most expensive behind Glasgow and Bristol. Adopting Option 3 makes Edinburgh the most expensive but level with Glasgow.

**Figure 7.2 Impact of options on a 5 mile fare**



### 7.3 Amended Festive Tariff

The current festive tariffs (T3 and T4) are day dependent which can be confusing for the customer. If Christmas falls over a weekend the fare is greater than if it falls on a weekday. This can cause confusion to customers as they may not understand why the fare is significantly higher should they travel when Christmas Day falls on a Saturday or Sunday.

Trade representatives all wish to see the tariff amended so that T4 should be applied to Christmas Day and New Year's Day (25<sup>th</sup> and 1<sup>st</sup>) irrespective of day of the week. All attendees wished to retain T4 during night times on Christmas and New Year's Eve.



## 8. Conclusions

### 8.1 General

This study has been conducted by Jacobs on behalf of City of Edinburgh Council (CEC). The overall objective was to carry out a review of the taxi fare tariff in Edinburgh including a review of the current fare tariff and advising on any changes. In May 2013 the Regulatory Committee took the decision to use CPI as a means of calculating fare increases. Using CPI the increase applicable is 3.3%. **Appendix 3** details the proposed farecard for this scenario. However, consultation with the trade identified that since the last review the running costs associated with operating a taxi have significantly increased.

Discussions with the trade have been undertaken and the trade have expressed their preference for the tariff to be increase in line with Option 3. This results in the 'flag' being increased to £3 on T1, £4 on T2, £4 on T3 and £5 on T4. In addition to this change they wish to see 3.3% applied to the increments.

Those responding to the stakeholder consultation were all representatives of the trade aside from Edinburgh Airport. These views reiterated what had been discussed in the trade meetings.

Edinburgh Airport responded to the consultation and stated that they would like the airport Drop Off Zone fee raised to £2.00 as this is the current tariff for the 0-5 mins period in the Drop Off Zone. Also, the airport Pick Up fee now sits at £2.90 which they felt should be reflected in the fare table.

The public consultation undertaken highlighted that although passengers report high levels of satisfaction with the length of delay encountered when obtaining a taxi (89.5%), there are much lower levels of satisfaction with the cost of the journeys (57%).

### 8.2 Recommendations for further discussion

Having undertaken the fares review Jacobs have proposed a number of changes that merit further discussion with the trade representatives, council officers and councillors. Our recommendations cover:

- General Increase;
- Festive Tariff
- Extras
- Airport

### 8.3 General Increase

Edinburgh currently sits 96<sup>th</sup> of 365 authorities for taxi fares. In October 2017 when the previous report was produced, Edinburgh was at position 198. It is clear that Edinburgh currently has above average fares.

However, given the vehicle age policy requirements and the introduction of the LEZ, taxi drivers in Edinburgh need to invest heavily in newer more environmentally friendly vehicles. A fare increase will allow them to generate more income to allow them to invest in the vehicle fleet. However given the results of the public consultation, the increase needs to be set at such a level that won't prohibit people from travelling in a taxi.

Our recommendation would be in line with those requested by the trade – Option 3. This would be to increase the flag to £3 on T1, £4 on T2, £4 on T3 and £5 on T4 and apply CPI (3.3%) to the increments. Tables 8.1 and 8.2 show the impact of all 3 options considered on a 2, 3 and 5 mile journey:

- Option 1 – Increase the flag to £3 on T1, £4 on T2, £4 on T3 and £5 on T4
- Option 2 – 3.3% increase
- Option 3 – Increase the flag to £3 on T1, £4 on T2, £4 on T3 and £5 on T4 and apply 3.3% to the increments

**Table 8.1 Tariff 1**

	2 mile	% increase from current	3 mile	% increase from current	5 mile	% increase from current
<b>Current T1</b>	<b>£6.35</b>	-	<b>£8.35</b>	-	<b>£12.35</b>	-
Option 1	<b>£6.75</b>	6.3	<b>£8.75</b>	4.8	<b>£12.75</b>	3.2
Option 2	<b>£6.60</b>	3.9	<b>£8.60</b>	3	<b>£12.60</b>	2.0
Option 3	<b>£6.75</b>	6.3	<b>£9.00</b>	7.8	<b>£13.00</b>	5.3

**Table 8.2 Tariff 2**

	2 mile	% increase from current	3 mile	% increase from current	5 mile	% increase from current
<b>Current T1</b>	<b>£7.35</b>	-	<b>£9.35</b>	-	<b>£13.35</b>	-
Option 1	<b>£7.75</b>	5.4	<b>£9.75</b>	4.3	<b>£13.75</b>	3
Option 2	<b>£7.60</b>	3.4	<b>£9.60</b>	2.7	<b>£13.60</b>	1.9
Option 3	<b>£7.75</b>	5.4	<b>£10.00</b>	7	<b>£14.00</b>	4.9

#### 8.4 Festive Tariff

The current fare tariff is confusing. The fare varies according to which day of the week, Christmas falls. Our recommendation is to amend the tariff to be simpler and more transparent. We suggest the tariff is amended so



that T4 should be applied to Christmas Day and New Year's Day (25<sup>th</sup> and 1<sup>st</sup>) irrespective of day of the week and that T4 is retained during night times on Christmas and New Year's Eve.

Applying the three options detailed above to the festive tariff makes the following differences.

**Table 8.3 Tariff 3**

	2 mile	% increase from current	3 mile	% increase from current	5 mile	% increase from current
<b>Current T3</b>	<b>£8.50</b>	-	<b>£11.30</b>	-	<b>£16.55</b>	-
Option 1	<b>£8.90</b>	4.7	<b>£11.70</b>	3.5	<b>£16.95</b>	2.4
Option 2	<b>£8.85</b>	4.1	<b>£11.65</b>	3.1	<b>£16.90</b>	2.1
Option 3	<b>£9.25</b>	8.8	<b>£12.05</b>	6.6	<b>£17.30</b>	4.5

	2 mile	% increase from current	3 mile	% increase from current	5 mile	% increase from current
<b>Current T4</b>	<b>£10.90</b>	-	<b>£14.50</b>	-	<b>£21.25</b>	-
Option 1	<b>£11.30</b>	3.7	<b>£14.90</b>	2.8	<b>£21.65</b>	1.9
Option 2	<b>£11.35</b>	4.1	<b>£14.95</b>	3.1	<b>£21.70</b>	2.1
Option 3	<b>£11.75</b>	7.8	<b>£15.35</b>	5.9	<b>£22.10</b>	4

## 8.5 Extra charges

The trade has requested that the additional passenger charge should be increased from 20p to 40p. In light of the benchmarking we would struggle to support this increase but would suggest an increase to 30p.

The trade has requested that the cancellation fee is increased to £5 to act as a deterrent.

The Airport pick up charge should be worded to ensure that the fee can be recouped, without specifying the amount, provided the driver can evidence this. This would ensure that drivers can recoup the fee paid currently

and if this changes in future. However, this would need to be reviewed by City of Edinburgh Council legal team to check the legality of the proposed change.

The wording around soiling should have the 'travel sickness' phrase removed.

## Appendix A. Additional Information

Present: Tony Kenmuir Central Taxis, Laura Lucas Central Taxis, Andrew Mack City Cabs, Scott Blair Unite Union, Murray Fleming Scottish Taxi Federation.

The following items were discussed between our Public Hire Taxi Trade representatives and we urge the City of Edinburgh Council to consider them as the Taxi Fare Table is reviewed.

#### 1. Tariff relative to the marketplace

As of the above date, Edinburgh's tariff ranks 95<sup>th</sup> of 363 on the PHTM (Private Hire and Taxi Monthly magazine) league table for fares over a 2-mile journey at £6.35. Edinburgh is widely recognised as being in the top 10 UK locations for cost of living. The "flag drop" or initial hire price of £2.60 is very low. On journeys shorter than 2 miles our ranking would certainly fall still further although we have no league table information for this. Taxi tariffs exceeding Edinburgh in Scotland are Glasgow in 71<sup>st</sup> at £6.50, Fife in 60<sup>th</sup> at £6.60, East Lothian in 16<sup>th</sup> at £7.00.

#### 2. Glasgow

The size of the taxi fleets in Glasgow and Edinburgh is similar at 1412 and 1316 taxis respectively. Glasgow taxis enjoy a tariff 2.4% higher than Edinburgh measured over 2 miles. Their "flag drop" is £3.30 on Tariff 1 and £4.40 on Tariff 2 which is 27% and 23% higher than Edinburgh respectively so they are further ahead the shorter the journey; although Glasgow covers a larger geographic area.

There are c. £2,500 public hire taxi drivers in Glasgow. A taxi drivers' license renewal there costs £162 generating £405,000 revenue for CGC. There are c. 4,500 public hire drivers in Edinburgh. A license renewal here costs £173 which is 7% higher than Glasgow and generates £778,500 revenue for CEC overall.

Glasgow has limited the number of PHC licenses and Edinburgh has not. Glasgow provides 8 enforcement officers and Edinburgh provides none.

In summary, in Glasgow the taxi trade has a higher tariff, pays lower fees to the council and benefits from consideration and services that the Edinburgh trade has been told are impossible.

#### 3. License Fees

The City of Edinburgh Council is raising license fees at a rate of 3% annually. The tariff review is every 18 months and so fees are rising 4.5% between reviews.

#### 4. Road Tax

Due the ever-rising capital price of Public Hire Taxis that meet the specifications required by CEC, we are now paying "Luxury Vehicle" road tax at £450; a premium of £310 above the norm of £140.

#### 5. Insurance

One of the main public hire taxi insurance providers is Clegg Gifford with policies from Tradex. Their Edinburgh branch manager estimates that premiums have risen 10% in the past 18 months.

#### 6. Training

The City of Edinburgh Council is introducing City & Guilds training for taxi drivers at a cost of £300 and 30 hours which is approximately 4 days lost work/income. Previously qualified drivers have to

new  
vehicle

lyr or 3yr badge

re-sit the test every time they renew their license at a cost of £100 and a day off work. This is an additional cost and burden on the trade that is compounded by loss of income.

#### **7. Fuel**

Diesel costs have risen by 3% in the 12 months from 3<sup>rd</sup> June 2018 to 3<sup>rd</sup> June 2019. Over the last 18 months from 3<sup>rd</sup> January 2018 they have risen 9%. Source: RAC foundation.

#### **8. Servicing**

The Mercedes Vito has become a staple of the taxi fleet as vehicles are being changed to meet new license conditions. Western Mercedes is the main service agent for Edinburgh. The General Manager estimates that labour charges have risen 11.5% since the last tariff review.

#### **9. Tolls / Airport charges**

Very soon after the last tariff review, Edinburgh Airport raised the drop off fee by 100% from £1 to £2. The pre-booked pick-up fee has also been increased to £4. Based on experience, we anticipate that any adjustment of the amount that can be passed on to passengers through the fare table will be viewed as an opportunity and be met with another increase from Edinburgh Airport. The trade is firm on the view that all airport charges must be reflected in the fare table and passed on to the passenger in their entirety irrespective of the amount. Airport charges increase regularly and without consultation or notice and it would be unreasonable for CEC to leave the taxi trade forever playing catch-up with increasing airport tolls that we cannot avoid paying as we deliver a public transport service.

#### **10. Age & Emissions restrictions ... finance and depreciation**

Due to the new license conditions introduced by the City of Edinburgh Council; X% of the taxi fleet must now be replaced. Excluding finance charges, the cost of a LEVC TX is c. £57K, a Mercedes Vito is c. £43K and a Ford ProCab c. £37K. The cost of buying X vehicles at an average of £X is £X in total. The burden of meeting these conditions in the time frame allowed is being met entirely by the trade.

The average taxi operator is now paying £X finance monthly and their vehicle is depreciating at 18% annually which equals £X monthly.

CEC is planning to introduce a Low Emission Zone by 2021 and it is possible that vehicles will have to be changed even sooner to meeting the policies surrounding this. Taxis are categorised as Commercial Vehicles which must all be Euro 6 to enter the zone.

There are 0% interest loans available to some currently. We cannot factor these in as many do not qualify and we do not know when this facility will be withdrawn. Cost of finance must also be factored into the above figures.

#### **Summary**

Taking all of the above into account, the trade feels that the market will not bear the increase in tariff that would be required to compensate us for all our increased costs. As such, we effectively find ourselves consulting on how much loss of income the trade can bear and survive.

Further, due to the policies of CEC we are being overwhelmed by PHC numbers and lack of enforcement. With little deterrent to Private Hire operators routinely breaching the conditions of their licenses, the commerce and viability of the Public Hire taxi trade are being seriously undermined.

We trust that the City of Edinburgh Council is committed to maintaining a Public Hire Taxi trade in the City and its survival and ability to meet the newly imposed standards will be reflected in its review of the Fare Table.

#### **Recommendations**

The trade feels that it is necessary for any revision of the tariff to be weighted towards shorter journeys by means of the "flag drop". The call-out charge has also not been reviewed for many years and no longer reflects the time and fuel required to travel to a passenger location. The cancellation fee serves as a deterrent to passengers booking a journey and not waiting for their taxi. Booking apps set their cancellation fee at around £5 and our £2.20 should be revised. Christmas Day and New Years Day should be at tariff 4.

Document prepared by Tony Kenmuir, Chairman, Central Taxis on behalf of Central Taxis, City Cabs, Unite Union and The Scottish Taxi Federation.

<b>Subject</b>	<b>Trade meeting 3</b>		
<b>Project</b>	CEC Taxi Fare Review 2019		
<b>Project No.</b>	B2340210	<b>File</b>	Approved Minutes
<b>Prepared by</b>	Liz Richardson and Lewis Haggerty	<b>Phone No.</b>	0113 3884627
<b>Location</b>	City Chambers, Edinburgh	<b>Date/Time</b>	September 13, 2019
<b>Participants</b>	Liz Richardson – Jacobs Lewis Haggerty – Jacobs Laura Lucas – Central Taxis Jacqui Guthrie – Unite Murray Fleming – Scottish Taxi Federation		
<b>Copies to</b>	All invitees	<b>Apologies</b>	Willie Thomson- Unite Les McVay – City Cabs Mark McNally – Central Taxis Scott Blair – Unite

		Action
1	The meeting commenced with LR asking if the trade had come together to agree a way forward on the proposed increase. All attendees stated that this had not happened.	
2	A discussion regarding an increase in fares in line with the CPI of 3.3% (as discussed during Trade meeting 2 held on August 15, 2019) concluded that all attendees felt this increase would be too low to account for the increased costs to the trade.	
3	LR presented the impact of increasing the flag for tariffs 1-4 at £3, £4, £4 and £5 respectively on journeys of varying lengths. Attendees stated that this did not provide an increase on fares of longer than	
4	LL expressed that solely having an increase to the flag would not be a significant enough increase in fares to which all attendees agreed.	
5	MF felt that LR should provide a recommendation for attendees consideration. LR commented that CPI was her preference but she agreed that the resulting increase was not aligned to the rising costs the trade faced.	
6	LR proposed increasing the flag then applying the CPI (3.3%) to the increments of fares where necessary to maintain a reasonable increase in fares. All attendees agreed this option should be explored further.	
7	LR agreed to issue with the minutes the impact on 2, 3 and 5 miles of the following 3 options:  Option 1: Application of CPI at 3.3%  Option 2: Increase of the flag only to £3, £4, £4 and £5	

	Action
<p>Option 3: As Option 2 and the application of CPI (3.3%) to the increments</p> <p>LR stated that she wished the trade to come to a consensus on their proposals for an increase as she would be presenting a number of options in the report. MF agreed to bring the trade together to identify a way forward by Wednesday 18<sup>th</sup> September.</p>	
6	LR asked for responses to the stakeholder consultation as the deadline was 15 <sup>th</sup> September – reminder to be issued. All agreed to reply.

<b>Subject</b>	<b>Trade meeting 2</b>		
<b>Project</b>	CEC Taxi Fare Review 2019		
<b>Project No.</b>	B2340210	<b>File</b>	Draft Minutes
<b>Prepared by</b>	Liz Richardson and Martin Delchev	<b>Phone No.</b>	0113 3884627
<b>Location</b>	City Chambers, Edinburgh	<b>Date/Time</b>	August 15, 2019
<b>Participants</b>	Liz Richardson – Jacobs Martin Delchev – Jacobs Mark McNally – Central Taxis Laura Lucas – Central Taxis Les McVay – City Cabs Scott Blair – Unite Jacqui Guthrie – Unite Murray Fleming – Scottish taxi Federation		
<b>Copies to</b>	All invitees	<b>Apologies</b>	Willie Thomson- Unite



		Action
4	<p>LR presented the results from a benchmarking exercise conducted according to the specification agreed during Trade Meeting 1 held on July 16, 2019. The exercise compared Edinburgh to main Scottish and core English cities on the following criteria:</p> <ul style="list-style-type: none"> <li>• 1-, 2- and 5-mile journeys, including daytime and night time</li> <li>• Additional cost per passenger</li> <li>• Call out charge</li> <li>• Cancellation fee</li> <li>• Soiling charge</li> <li>• Wording around 'tolls'</li> </ul> <p>LR confirmed the increase in CPI between January 2018 and July 2019 as 3.3%</p>	
2	<p>LR stated that in the report benchmarking will compare Edinburgh to small cities and towns in its neighboring authorities. LR to look at cities and towns in Midlothian, West Lothian, East Lothian, Scottish Borders and Fife.</p>	
3	<p>A discussion of the results from the benchmarking exercise presented by LR concluded that the Trade wished to see an increase in the tariff. The proposed increase is in line with the proposition made during Trade Meeting 1:</p> <ul style="list-style-type: none"> <li>• T1 flag increased to £3 (with no change to the distance calculation)</li> <li>• T2 flag increased to £4</li> <li>• T3 flag increased to £4</li> <li>• T4 flag increased to £5</li> </ul> <p>LR to calculate the impact of increasing the rates with a flat fee in terms of an overall percentage increase. The results from this exercise are to be sent prior to the next Trade Meeting. A breakdown of how the percentage increase changes for 2-, 3- and 5- mile journeys was requested.</p> <p>The corresponding percentage increase from increasing the fares by a flat fee is to be compared to the increase in CPI (3.3%)</p>	LR
4	<p>It was noted by MF that card payment processing charges are absorbed by the driver currently.</p> <p>MF expressed a desire to see amendments in the conditions/ legislation to make it compulsory for both public and private hires to accept card payments. This view was supported by the other present attendees.</p>	
5	<p>A discussion based on how Edinburgh benchmarks on additional cost per passenger concluded that all attendees wished to see an increase in the charge for additional passengers from 20p to 40p. This proposal was accepted by all present.</p>	
6	<p>In light of the benchmarking presented by LR, JG wished to see an increase in the call out charge from 80p to £1. All attendees agreed.</p>	
7	<p>It was suggested by MM that the cancellation fee should be increased to serve as a deterrent to cancelling or taking a street hire when a booking has been made.</p> <p>The proposed increase is from £2.2 to £5. All attendees agreed.</p>	
8	<p>LR presented fare cards from selected cities to serve as examples for wording related to soiling of a taxi.</p> <p>All attendees agreed that the current amount (£50) is reasonable and should remain the same. There is a desire to come up with a new wording, similar to the one used on the Highland fare card. Both the wording from the fare cards</p>	

		Action
	<p>and the charge amount as reported by LR in the benchmarking were used to inform this decision.</p> <p>The charge is to remain £50 flat fee, as opposed to “a maximum of £50”, as seen on some fare cards. The rationale behind this wording is to prevent conflicts with clients where “a maximum of” might be seen as a bargaining opportunity.</p> <p>The question was asked regarding the enforceability of the soilage charge – LR to check</p>	
9	<p>In line with the discussion during Trade Meeting 1, all attendees wish to see a change in the wording around ‘tolls’. LR presented examples of wording used on fare cards in the cities used as a benchmark. The Trade wished to see a new wording that better matches the wording used on the Leeds fare card, allowing any tolls, charges or fees to be recovered by the driver.</p>	LR

<b>Subject</b>	<b>Trade meeting 1</b>		
<b>Project</b>	CEC Taxi Fare Review 1 2019		
<b>Project No.</b>	B2340210	<b>File</b>	Draft Minutes
<b>Prepared by</b>	Liz Richardson and Martin Delchev	<b>Phone No.</b>	0113 3884627
<b>Location</b>	City Chambers, Edinburgh	<b>Date/Time</b>	July 16, 2019
<b>Participants</b>	Liz Richardson – Jacobs Martin Delchev – Jacobs Mark McNally – Central Taxis Tony Kenmuir – Central taxis Laura Lucas – Central Taxis Les McVay – City Cabs Scott Blair – Unite Jacqui Guthrie - Unite		
<b>Copies to</b>	All invitees	<b>Apologies</b>	Murray Fleming – Scottish taxi Federation Willie Thomson- Unite

		Action
5	TK provided a document summarising a meeting held between Central, City Cabs, Unite and the Scottish Taxi Federation. Summarising the discussions from the first meeting, TK raised concerns that Edinburgh is ranked in the top 10 when it comes to the cost of living and 95 <sup>th</sup> on tariff sheet. Furthermore, TK pointed out that the current PHTM league table is based on 2-mile journey, however, Edinburgh is a compact city and most of the journeys are at shorter distances. TK is of the opinion that if the tariff tables were based on 1-mile journeys, Edinburgh would fall even further in the ranking, creating greater discrepancy between living costs and taxi fares.	
6	<p>LR ran through the stages of the fare review and explained she would arrange a second trade meeting in August to discuss the findings of the benchmarking exercise. Liz agreed to benchmark based on a 1, 2 and 5-mile fare.</p> <p>Further rationale behind the suggested increase in taxi fares included:</p> <ul style="list-style-type: none"> <li>• Increase in license fees by 3% annually</li> <li>• Taxies are subject to 'luxury vehicle' road tax as the cost of the vehicles exceeds £40,000</li> <li>• A requirement that driver licenses have to be renewed every 1 or 3 years. In line with this renewal drivers have to resit the City and Guilds test every time they renew their licence at a cost of £100 and a day off work.</li> <li>• Increase in the cost of insurance by approximately 10%</li> <li>• Cost associated with the need to update vehicle fleet to be Euro 6 compliant, allowing taxies to enter Low Emission Zones (LEZ)</li> <li>• Increase in running costs</li> </ul> <p>It was recognised that although vehicle running costs are increasing the traditional 'taxi' market is in decline because of competitor hiring app services e.g. Uber. Therefore, a concern was expressed by SB, and supported by</p>	LR

	Action
<p>others that any increase should be carefully considered so as not to put people off from using taxis.</p> <p>All attendees confirmed that they wished to see an increase in the tariff. However, there was no prior agreement on the methodology to calculate the percentage increase nor on the amount of the increase. LR stated that CPI had been used on previous fare increases and she explained that currently this was coming out at a 3.3% increase</p> <p>The Trade expressed concerns regarding the number of private hire vehicles. The trade wished for the Council to introduce a cap on the maximum number of private car hires licences issued. The general opinion was that public hires are not treated equally to private hires, with private hires not having a fixed tariff.</p> <p>To further illustrate the disadvantaged position of public hires TK pointed out that with the introduction of LEZ the fleet would need to be updated in order to meet the emission standards. For public hires there is a limited variety of vehicles (3 types) to choose from while there are unlimited options for private hires. The restricted choice of vehicles and the associated price of vehicles suitable for public hires results in a large discrepancy between the cost of updating the public and private hire fleets, with public hires costing more.</p> <p>In general, the trade was content with the structure of the components listed in the fare card but not with the weighting. All attendees agreed that the fares should be weighted more towards the flag drop across the 4 tariffs.</p> <p>It was suggested that if a single percentage increase was applied across all tariffs, T3 and T4 would increase disproportionately. With that consideration in mind it was proposed that a percentage increase is applied as follows:</p> <p>T1 between £3 and £3.2 (with no change to the distance calculation)</p> <p>T2 between £4 and £4.2 (to keep a pound disparity between the T1 and T2)</p> <p>T3 between £4 and £4.2</p> <p>T4 between £5 and £5.2</p> <p>All attendees agreed that T4 should be applied to Christmas Day and New Year's Day (25<sup>th</sup> and 1<sup>st</sup>) irrespective of day of the week. All attendees wished to retain T4 during night times on Christmas and New Year's Eve.</p> <p>A brief discussion on the cancellation fee concluded that the fee is too low and should be increased. The suggestion was to increase from £2.2 to £4 or £5.</p> <p>All attendees wished to be able to recover the full amount for pick-ups and drop-offs at the airport. The current maximum recoverable rate is £2.8 for pick-ups and £1 for drop-offs, whereas the full amount charged is £4 and £2 for pick-ups and drop-offs respectively. The proposed methodology to allow for full recovery of the fee is a change in the wording to allow for all fees, charges or tolls to be recoverable. LR agreed to see how the benchmarked authorities did this</p> <p>The change of the wording of the cleaning fee is desired to allow for the fee to be applied in any case when a taxi is soiled, not only in cases of travel sickness as it is at present.</p> <p>Benchmarking to be carried out by Jacobs comparing Edinburgh to main Scottish and English core cities on the following criteria:</p> <ul style="list-style-type: none"> <li>• 1-, 2- and 5-mile journeys</li> </ul>	

	Action
<ul style="list-style-type: none"> <li>• Additional cost per passenger</li> <li>• Call out charge</li> <li>• Soiling charge</li> <li>• Wording around 'tolls'</li> </ul>	

THE CITY OF EDINBURGH COUNCIL  
CIVIC GOVERNMENT (SCOTLAND) ACT 1982

## FARE TABLE FOR TAXIS

**Draft update 2019 3.3%**

### FOR UP TO 2 PASSENGERS

<b>TARIFF 1</b> Monday - Friday 6am – 6pm	<b>TARIFF 2</b> Monday - Friday 6pm – 6am the following day 6am Saturday – 6am Monday
<b>TARIFF 3</b> Monday - Friday 6am – 6pm during Christmas and New Year	<b>TARIFF 4</b> Monday - Friday 6pm – 6am the following day 6am on Saturday – 6am Monday during Christmas and New Year
<b>CHRISTMAS</b>	6pm on 24 December to 6am on 27 December
<b>NEW YEAR</b>	6pm on 31 December to midnight on 2 January

CHARGES	TARIFF 1	TARIFF 2	TARIFF 3	TARIFF 4
<ul style="list-style-type: none"> <li>Initial hire not exceeding 500m</li> <li>Initial 105 seconds of waiting time</li> <li>Combination of initial time and distance</li> </ul>	£2.60	£3.60	£3.60	£4.60
<ul style="list-style-type: none"> <li>Each additional 168m up until 1860m and thereafter each additional 195m</li> <li>Each additional 36 seconds of waiting time</li> <li>Combination of additional time and distance</li> </ul>	£0.25	£0.25		
<ul style="list-style-type: none"> <li>Each additional 178m up until 1940m and thereafter each additional 206m</li> <li>Each additional 38 seconds of waiting time</li> <li>Combination of additional time and distance</li> </ul>	-	-	£0.35	£0.45

### EXTRA PAYMENTS

<b>When more than 2 passengers</b>	<b>Each</b>	<b>£0.20</b>
<b>Note:</b> Only 2 children under 12 years will be reckoned as one passenger. No extra fare will be charged for one child under 5 years of age.		
<b>Each Passenger must be properly seated</b>		
<b>Hires ending at Edinburgh Airport Inner Drop-off Zone</b> (See Note 4 below)		<b>£1.00</b>
<b>Call Out Charge</b> Applicable when pre-booked	<b>£0.80</b>	<b>Airport Pickup</b> For hires commencing at Edinburgh airport
<b>Cancellation Fee</b> Applicable when taxi is pre-booked but not used	<b>£2.20</b>	
<b>Cleaning Fee</b> Applicable when taxi is soiled (by travel sickness)		<b>£50.00</b>

### NOTES

- (1) The above Tariff is applicable only within the City of Edinburgh.
- (2) Any hire which terminates outside the City of Edinburgh area – FARE MUST BE NEGOTIATED AND AGREED WITH DRIVER BEFORE THE JOURNEY COMMENCES.
- (3) A copy of the Licensing Conditions can be inspected at the Council's Licensing Offices, 249 High Street, Edinburgh, EH1 1YJ and downloaded from [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)
- (4) The Airport Extra is only payable if passenger is dropped off in the covered inner drop-off zone at Edinburgh Airport and the driver has explained to the passenger before the start of the journey - (1) He will take the passenger to the drop off point just beside the airport terminal and that there is a £1 extra for this. (2) If the passenger states he is disabled, the £1 extra still has to be paid, but the driver understands that the passenger can reclaim this from the airport at the drop-off point. (3) If the passenger wishes to avoid the £1 extra, he can be taken to an outer drop-off point. However, this is further from the airport terminal, involves the use of a free shuttle bus and will require more time for the passenger to get to the airport terminal.

### COMPLAINTS

Any hirer aggrieved at the level of the fare charged for any hire or for any other reason may discuss the matter with the Taxi Licensing Officer (0131 529 4250). Any complaint must be made in writing and addressed to the Complaints Officer, Licensing Section, The City of Edinburgh Council, 249 High Street, Edinburgh EH1 1YJ, and should include the vehicle's licence number and time and date of the incident.

THE CITY OF EDINBURGH COUNCIL  
CIVIC GOVERNMENT (SCOTLAND) ACT 1982  
**FARE TABLE FOR TAXIS**  
**Draft update 2019 Flag increase +3.3%**

**FOR UP TO 2 PASSENGERS**

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<b>TARIFF 3</b> Monday - Friday 6am – 6pm during Christmas and New Year	<b>TARIFF 4</b> Monday - Friday 6pm – 6am the following day 6am on Saturday – 6am Monday during Christmas and New Year
<b>CHRISTMAS</b>	6pm on 24 December to 6am on 27 December
<b>NEW YEAR</b>	6pm on 31 December to midnight on 2 January

CHARGES	TARIFF 1	TARIFF 2	TARIFF 3	TARIFF 4
<ul style="list-style-type: none"> <li>Initial hire not exceeding 516m</li> <li>Initial 105 seconds of waiting time</li> <li>Combination of initial time and distance</li> </ul>	£3.00	£4.00	£4.00	£5.00
<ul style="list-style-type: none"> <li>Each additional 168m up until 1860m and thereafter each additional 195m</li> <li>Each additional 36 seconds of waiting time</li> <li>Combination of additional time and distance</li> </ul>	£0.25	£0.25		
<ul style="list-style-type: none"> <li>Each additional 178m up until 1940m and thereafter each additional 206m</li> <li>Each additional 38 seconds of waiting time</li> <li>Combination of additional time and distance</li> </ul>	-	-	£0.35	£0.45

**EXTRA PAYMENTS**

<b>When more than 2 passengers</b>	<b>Each</b>	<b>£0.20</b>
<b>Note:</b> Only 2 children under 12 years will be reckoned as one passenger. No extra fare will be charged for one child under 5 years of age.		
<b>Each Passenger must be properly seated</b>		
<b>Hires ending at Edinburgh Airport Inner Drop-off Zone</b> (See Note 4 below)		<b>£1.00</b>
<b>Call Out Charge</b> Applicable when pre-booked	<b>£0.80</b>	<b>Airport Pickup</b> For hires commencing at Edinburgh airport
<b>Cancellation Fee</b> Applicable when taxi is pre-booked but not used	<b>£2.20</b>	
<b>Cleaning Fee</b> Applicable when taxi is soiled (by travel sickness)		<b>£50.00</b>

**NOTES**

- (1) The above Tariff is applicable only within the City of Edinburgh.
- (2) Any hire which terminates outside the City of Edinburgh area – FARE MUST BE NEGOTIATED AND AGREED WITH DRIVER BEFORE THE JOURNEY COMMENCES.
- (3) A copy of the Licensing Conditions can be inspected at the Council's Licensing Offices, 249 High Street, Edinburgh, EH1 1YJ and downloaded from [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)
- (4) The Airport Extra is only payable if passenger is dropped off in the covered inner drop-off zone at Edinburgh Airport and the driver has explained to the passenger before the start of the journey - (1) He will take the passenger to the drop off point just beside the airport terminal and that there is a £1 extra for this. (2) If the passenger states he is disabled, the £1 extra still has to be paid, but the driver understands that the passenger can reclaim this from the airport at the drop-off point. (3) If the passenger wishes to avoid the £1 extra, he can be taken to an outer drop-off point. However, this is further from the airport terminal, involves the use of a free shuttle bus and will require more time for the passenger to get to the airport terminal.

**COMPLAINTS**

Any hirer aggrieved at the level of the fare charged for any hire or for any other reason may discuss the matter with the Taxi Licensing Officer (0131 529 4250). Any complaint must be made in writing and addressed to the Complaints Officer, Licensing Section, The City of Edinburgh Council, 249 High Street, Edinburgh EH1 1YJ, and should include the vehicle's licence number and time and date of the incident.

### Appendix 3

#### Current Tariff

Tariff	IHC (516m)	Increment per 184m up to 1988m	Increment per 213m after 1988m	TOTAL COST per 1 mile	FARE INCREASE %	TOTAL COST per 2 mile	FARE INCREASE %	TOTAL COST per 5 mile	FARE INCREASE %
Tariff 1	£2.60	£0.25		£4.35	20.8%	£6.35	13.3%	£12.35	Not provided
Tariff 2	£3.60	£0.25		£5.35	16.3%	£7.35	11.3%	£13.35	Not provided
Tariff 3	£3.60		£0.35	£5.70	9.6%	£8.50	6.2%	£16.55	Not provided
Tariff 4	£4.60		£0.45	£7.30	7.3%	£10.90	4.8%	£21.25	Not provided

#### Proposed Tariff

Tariff	IHC (516m)	Increment per 184m up to 1988m	Increment per 213m after 1988m	TOTAL COST per 1 mile	FARE INCREASE %	TOTAL COST per 2 mile	FARE INCREASE %	TOTAL COST per 5 mile	FARE INCREASE %
Tariff 1	£3	£0.26		Not provided	Not provided	£6.75	6.3%	£13	5.3%
Tariff 2	£4	£0.26		Not provided	Not provided	£7.75	5.4%	£14	4.9%
Tariff 3	£4		£0.36	Not provided	Not provided	£9.25	8.8%	£17.30	4.5%
Tariff 4	£5		£0.46	Not provided	Not provided	£11.75	7.8%	£22.10	4%



## Appendix 4



Taxi Trade Representatives

Date 6 December 2019

Our Ref

Dear Sir / Madam,

### **TAXI TARIFF REVIEW 2019**

I am writing to update you on the current position regarding the Taxi Tariff Review which commenced earlier this year and with which you have been engaging with Jacobs.

The Council has now received the final report from Jacobs and is preparing a report for the Regulatory Committee in January 2020 to take this forward.

I understand that Jacobs held three consultation meetings with Taxi Trade Representatives on 31 July, 19 August and 13 September 2019. Following these meetings an email was sent to Jacobs on behalf of the representatives, outlining the views of the trade and seeking implementation of the following:

1. A general fare increase of 3.3% on all increments and a 40p increase in the flag drop.  
This would apply to all tariffs.
2. An increase in the additional passenger charge from 20p to 40p.
3. An increase of the cancellation fee to £5.
4. The wording of the definition of 'soiling' to be revised.
5. All tolls, charges or fees to be recovered by the driver.

Jacobs provided a copy of the draft report to trade representatives on 15 October 2019 and invited comments on the accuracy of the report. I understand that no comments were made. Thereafter the report was submitted to the Council on 18 Nov 2019. I provide a copy of Jacobs final report for your information.

Following the appeal against the decision of the Council in the fare review of 2016, the Council has adopted the practice of writing separately to the trade and explaining what the likely recommendations of Council Officers will be to the committee when it considers the report. This letter sets out the likely recommendations and invites members of the trade to make further submissions if they wish to do so.

The Regulatory Committee will reach its own decision. The following recommendations of Council Officers are simply recommendations, and as such are not binding.

1. The proposal that a 3.3% fare increase should be applied to increments on Tariffs 1 and 2, is likely to be accepted and recommended to the committee.
2. The proposal that 40p should be added to the flag drop of all Tariffs.



3. The proposal that, in addition to the above increases, a 3.3% fare increase should be applied to increments on Tariffs 3 and 4 causes concern, particularly as this would further increase the difference between Tariffs 1 and 2 and Tariffs 3 and 4. I would draw your attention to sections 8.4 and 9.3 of the Jacobs report (attached), which illustrate the resulting differences in the fares, in the event that this proposal is implemented.

Before Council Officers reach a decision about recommendation of this proposal, I invite trade members to submit further evidence showing:

- a) The additional costs borne by the trade which would justify these increases for the Christmas and New Year period; and/or
  - b) Any evidence that the current fare levels at Christmas and New Year is negatively affecting the number of drivers working.
4. Jacobs has recommended an increase of the additional passenger charge to 30p.

Trade members are invited to submit evidence which would justify any increase of the additional passenger fee beyond a general inflationary uplift. It would also be useful to understand what percentage of hires trade members think such an increase would affect.

5. In terms of the proposal to increase the cancellation fee to £5, Council officers are unlikely to recommend this unless trade members can supply evidence that there is a problem with cancellations. Such evidence might be made available from booking offices showing numbers and frequency of cancellations which would justify such an increase. It should be noted that the Jacobs report highlights that no other Local Authority has been identified as operating a similar level of fee.
6. In respect of amending the wording of the soiling charge, this is accepted, and the following wording will be recommended; *"Soiling Charge – maximum £50 payable by a passenger, where the vehicle required to be removed from service for cleaning in order for it to be restored to a useable state and condition"*.
7. In respect of tolls, charges and fees, I note the request from trade members. However, as explained during previous discussions on this issue, the Council's position is that the Council is required to fix an actual fee and it is not legally permissible to allow an arrangement that any fee may be passed on without this being set on the fare card. Accordingly, it will be recommended to the committee that it should not make such a change. As an alternative I invite trade members to put forward proposals for a specific and fixed fee for airport charges, which the Council will consider.

I look forward to hearing from you in response to the above matters. I would be grateful for any reply by Monday 23 December 2019.

Yours sincerely,

Andrew Mitchell  
Regulatory Services Manager

## Appendix 5 – Taxi Trade Responses

**From:** Les McVay [REDACTED]  
**Sent:** 18 December 2019 14:26  
**To:** Andrew Mitchell <Andrew.Mitchell@edinburgh.gov.uk>; Marcos Martinez <Marcos.Martinez@edinburgh.gov.uk>  
**Subject:** Tariff Review

Dear Andrew

In reply to your letter dated 6<sup>th</sup> December 2019.

Concerning the tolls, charges and fees section of the tariff review, City Cabs would like to put forward an alternative to the current proposal that would fall in line with the current charges being made at Edinburgh Airport.

The permitted drop-off fee on the current tariff sheet is £1. City Cabs would request that this is increased to £2 in line with the existing airport charges.

The permitted pick-up fee on the current tariff is £2.80. City Cabs would request that this is increased to £2.90 in line with the existing airport charges.

City Cabs would also ask that an increase in the extra passenger fee be implemented. Please see details of when the last increase was granted. The additional passenger fee was increased from 10p to 20p back in 1997, some 22 years ago. We feel that this increase is justifiable given the period since the last increase in this area.

Kindest Regards  
Les McVay  
Company Secretary  
1 Atholl Place, Edinburgh, EH3 8HP  
[REDACTED]  
[REDACTED]

**Web:** [www.citycabs.co.uk](http://www.citycabs.co.uk)



# CITY OF EDINBURGH COUNCIL

## FARE TABLE FOR HIRE VEHICLES

(OPERATIVE FROM 20th APRIL 1996)

### For up to 2 Passengers

For the initial hire not exceeding 640 yards (585.2 metres)	...	...	...	...	...	<b>TARIFF 1</b>	<b>TARIFF 2</b>
For the initial period of waiting time 120 seconds	...	...	...	...	...	<b>£1.20</b>	<b>£1.70</b>
For a combination of time and distance as above	...	...	...	...	...		

### Tariff 2

Will only apply Monday to Thursday from 18.00 hours to 06.00 hours and from 18.00 hours on Friday to 06.00 hours on Monday following

For each additional 320 yards (292.6 metres) or part thereof	...	...	...	...	...	} <b>20p.</b>
For each additional period of waiting time of 60 seconds	...	...	...	...	...	
For a combination of additional time and distance	...	...	...	...	...	

### EXTRA PAYMENTS

#### Additional Passengers:

When more than two passenger	...	...	...	...	...	...	} <b>10p. each</b>
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#### Note:

Only two children under 12 years will be reckoned as one passenger. No extra fare will be charged in respect of one child under 5 years. Each passenger must be properly seated.

#### Call Out Charge:

Applicable when taxi is pre-booked	...	...	...	...	...	...	} <b>60p.</b>
------------------------------------	-----	-----	-----	-----	-----	-----	---------------

#### Cancellation Fee:

Applicable when taxi is pre-booked but not used	...	...	...	...	...	...	} <b>£1</b>
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#### Cleaning fee:

Applicable when taxi is soiled by travel sickness due to alcohol	...	...	...	...	...	...	} <b>£10</b>
--	-----	-----	-----	-----	-----	-----	--------------

#### Luggage:

For each item carried outside the passenger compartment	...	...	...	...	...	...	} <b>10p.</b>
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### Special Tariffs for Hires

In the Christmas and New Year periods:

These tariffs will apply between 18.00 hours on 24th December and 0600 hours on 27th December and 18.00 hours on 31st December and 06.00 hours on 3rd January (inclusive) to the initial hire only and thereafter waiting time or a combination of time and distance will be the same as Tariff 1 above.

#### Tariff 3

Will apply to initial hires Monday to Friday between 06.00 hours and 18.00 hours.	} <b>£2.70</b>
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#### Tariff 4

Will apply to initial hires Monday to Thursday 18.00 hours to 06.00 hours and 18.00 hours on Friday to 06.00 hours the following Monday.	} <b>£3.20</b>
--	----------------

#### Notes:

- (1) The above Tariff is applicable only within the City of Edinburgh.
- (2) Any hire which terminates outside the City of Edinburgh area - FARE agreement before the journey commences.
- (3) A copy of the Conditions for the Licensing of Taxis and Private Hire Cars may be inspected at the Cab Unit, 33 Murrayburn Road, Edinburgh.
- (4) The above Tariff also applies to Private Hire Cars when fitted with a meter.

**APPROVED by the EDINBURGH DISTRICT COUNCIL 15th MARCH 1996**

Any hirer aggrieved at the level of the fare charged for any hire or for any other reason should note the licence number of the vehicle and then refer the matter to the Cab Inspector, Cab Unit, 33 Murrayburn Road, Edinburgh (Tel. 0131 455 7975) during normal office hours.

# CITY OF EDINBURGH COUNCIL

## FARE TABLE FOR HIRE VEHICLES

(OPERATIVE FROM 29th NOVEMBER 1997)

### For up to 2 Passengers

	TARIFF 1	TARIFF 2
For the initial hire not exceeding 600 yards (548.6 metres) ... ..	£1.30	£1.80
For the initial period of waiting time 104 seconds ... ..		
For a combination of time and distance as above ... ..		

### Tariff 2

Will apply on weekdays from 18.00 hours to 06.00 hours the following day and at weekends from 06.00 hours on Saturday until 06.00 hours on Monday following

For each additional 300 yards (274.3 metres) or part thereof ... ..	20p.
For each additional period of waiting time of 52 seconds ... ..	
For a combination of additional time and distance ... ..	

### EXTRA PAYMENTS

#### Additional Passengers:

When more than two passenger ... ..	20p. each
-------------------------------------	-----------

**Note:** Only two children under 12 years will be reckoned as one passenger. No extra fare will be charged in respect of one child under 5 years. Each passenger must be properly seated.

#### Call Out Charge:

Applicable when taxi is pre-booked ... ..	60p.
---	------

#### Cancellation Fee:

Applicable when taxi is pre-booked but not used ... ..	£2.00
--	-------

#### Cleaning fee:

Applicable when taxi is soiled by travel sickness due to alcohol ... ..	£20.00
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#### Payment of Fare by Credit/Debit Card

Applicable when paying fare by above means ... ..	£1.00
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#### Special Tariffs for Hires

In the Christmas and New Year periods:

These tariffs will apply between 18.00 hours on 24th December and 0600 hours on 27th December and 18.00 hours on 31st December and 06.00 hours on 3rd January (inclusive) to the initial hire only and thereafter waiting time or a combination of time and distance will be the same as Tariff 1 above.

### Tariff 3

Will apply to initial hires on weekdays from 06.00 hours and 18.00 hours ... ..	£2.80
---	-------

### Tariff 4

Will apply to initial hires on weekdays from 18.00 hours to 06.00 hours the following day and at weekends from 06.00 hours on Saturdays until 06.00 hours the following Monday	£3.30
--	-------

- Notes:**
- (1) The above Tariff is applicable only within the City of Edinburgh.
  - (2) Any hire which terminates outside the City of Edinburgh area — FARE AGREEMENT BEFORE THE JOURNEY COMMENCES.
  - (3) A copy of the Conditions for the Licensing of Taxis and Private Hire Cars may be inspected at the Cab Unit, 33 Murrayburn Road, Edinburgh.
  - (4) The above Tariff also applies to Private Hire Cars when fitted with a meter.

**APPROVED by the CITY OF EDINBURGH COUNCIL on 14th NOVEMBER 1997**

Any hirer aggrieved at the level of the fare charged for any hire or for any other reason should note the licence number of the vehicle and then refer the matter to the Cab Inspector, Cab Unit, 33 Murrayburn Road, Edinburgh (Tel. 0131 529 5000) during normal office hours Monday to Friday 08.00 to 16.00.

CS.70

**From:** Guthrie, Jacqueline (Branch activist)

[REDACTED]

**Sent:** 19 December 2019 12:39

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

**Subject:** Taxi Tariff Review 2019

Dear Mr Mitchell,

As of your letter dated 06th December 2019, please find below our response to this.

Although we appreciate the Council requesting feedback from the trade representatives we have to point out the timetables for the fixing of the scales will over run again due to Edinburgh Council. The previous scales came in to effect on 18<sup>th</sup> June 2018 and therefore in accordance with the civic government Scotland act 1982 the new scales must be fixed by the 18<sup>th</sup> December 2019 or the council is again in breach of the act as per extract below :-

**17 Taxi fares.**

**(2) The licensing authority must fix scales for the fares and other charges mentioned in subsection (1) within 18 months beginning with the date on which the scales came into effect.**

Yet again we are seeing a slow paced review that will not see an increase on the fares until at least March 2020, which will be almost 3 months after the actual date it is meant to be according to the above legislation.

1. **The proposal that a 3.3% fare increase should be applied to increments on Tariffs 1 and 2, is likely to be accepted and recommended to the committee.**

No Issues

2. **The proposal that 40p should be added to the flag drop of all Tariffs.**

No Issues

3. **The proposal that, in addition to the above increases, a 3.3% fare increase should be applied to increments on Tariffs 3 and 4 causes concern, particularly as this would further increase the difference between Tariffs 1 and 2 and Tariffs 3 and 4. I would draw your attention to sections 8.4 and 9.3 of the Jacobs report (attached), which illustrate the resulting differences in the fares, in the event that this proposal is implemented.**

**Before Council Officers reach a decision about recommendation of this proposal, I invite trade members to submit further evidence showing:**

Current T2 for 2 miles is £7.35

T3 for 2 miles is £8.50 with a £1.15 difference from T2  
T4 for 2 miles is £10.90 with a £3.55 difference from T2

3.3% T2 for 2 miles £7.75

T3 for 2 miles £9.25 with a £1.50 difference from T2 ( overall increase of 0.35p)

T4 for 2 miles £11.75 with a £4.00 difference from T2 (overall increase of 0.45p)

So overall we are looking at an average of 0.40p increase on the tariff, which still is less than time and a half on the Festive Tariff when the average workers at this time would be on a minimum of double time and a day in lieu.

If there is no increase in T3/T4 to 3.3% then you are seeing a loss of earnings not an increase from previous year, as at the moment from T2 to T3 there is a £1.15 difference, this would decrease to £0.75p if no increase is given.

- a. **a) The additional costs borne by the trade which would justify these increases for the Christmas and New Year period; and/or**

If there was no increase to T3 and T4 of 3.3% as stated above the trade would be working at a loss yet the cost of purchasing and running a Taxi, has gone up.

- b. **b) Any evidence that the current fare levels at Christmas and New Year is negatively affecting the number of drivers working.**

We polled our members asking them, if they would work the festive season if there was no increase to the T3 and T4, 65% said NO, they wouldn't work.

#### **4. Jacobs has recommended an increase of the additional passenger charge to 30p.**

**Trade members are invited to submit evidence which would justify any increase of the additional passenger fee beyond a general inflationary uplift. It would also be useful to understand what percentage of hires trade members think such an increase would affect.**

The additional passenger charge has NOT been subject of any general inflationary uplift and has remained static for at least ten or more years. There is no measure of how many passengers are in each vehicle per journey and therefore we cannot advise what percentage of hires would be affected.

4. **In terms of the proposal to increase the cancellation fee to £5, Council officers are unlikely to recommend this unless trade members can supply evidence that there is a problem with cancellations. Such evidence might be made available from booking offices showing numbers and frequency of cancellations which would justify such an increase. It should be noted that the Jacobs report highlights that no other Local Authority has been identified as operating a similar level of fee.**



The £5 cancellation fee is more used as deterrent than able to be collected from the passenger, saying that Drivers using the Gett platform do get a £5 cancellation fee after 5 minutes of waiting if the passenger fails to arrive, so to have the tariff card reflect this, would deter passengers booking taxi's and failing to arrive.

**6. In respect of amending the wording of the soiling charge, this is accepted, and the following wording will be recommended; *"Soiling Charge – maximum £50 payable by a passenger, where the vehicle required to be removed from service for cleaning in order for it to be restored to a useable state and condition"*.**

No Issue

**7. In respect of tolls, charges and fees, I note the request from trade members. However, as explained during previous discussions on this issue, the Council's position is that the Council is required to fix an actual fee and it is not legally permissible to allow an arrangement that any fee may be passed on without this being set on the fare card. Accordingly, it will be recommended to the committee that it should not make such a change. As an alternative I invite trade members to put forward proposals for a specific and fixed fee for airport charges, which the Council will consider.**

As of 17/12/2019 the Airport has increased its pick up charge to £5 for 0-15 minutes and with the current tariff fee of £2.80 allowed to be re-reimbursed we are at a loss of £2.20 and with the meter starting at £2.60 and £3.60 respectively we are starting at 0.40p/£1.40 drop off the flag at the Airport, this is highly unacceptable.

We are aware that there is a decrement card for the use of the Airport, but that too is subject to increase and still doesn't give the driver a reimbursement of their costs lost.

Section 17, Taxi fares of the Civic Government (Scotland) Act 1982, in subsection 4a before fixing scales under subsection 2 the licensing authority must consult with persons or organisations appearing to be representatives of taxis within its area, which we have duly done to advise you that we would like to see the Tariff Card, have wording that we can be reimbursed the full tolls that we can incur.

Highland Council unlike other Cities on the report from Jacobs have to follow the legislation in the Civic Government (Scotland) Act 1982 and they have on their Tariff card :-

Any Bridge Tolls or Ferry Charges – where applicable  
Any Airport car parking charges ( only chargeable on production of a receipt to the hirer)

This is the wording we would like to see on Edinburgh Council's Taxi Tariff card, a receipt is given when exiting the Airport and this can be given to the hirer.

In Subsection 3 of Section 17 of the Civic Government (Scotland) Act 1982 it states you **MAY** alter fares or other charges so you can legally allow the wording on the Tariff card to re Tolls/Fees to be FULLY reimbursed like Highland Council's tariff card.



Thank you.

Regards,

***Jacqueline Dunn***  
***Edinburgh Cab Branch Secretary***

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**From:** Scottish Taxi Federation [REDACTED]  
**Date:** 23 December 2019 at 09:55:14 GMT  
**To:** <[Andrew.Mitchell@edinburgh.gov.uk](mailto:Andrew.Mitchell@edinburgh.gov.uk)>  
**Subject:** Taxi Tariff Review 2019  
Dear Mr Mitchell,

**Further to your letter dated 6th December, the STF responses are detailed below.**

**1 & 2 -** Setting aside the debate regards tariff 3 & 4 it is essential that the increase of 3.3% plus an additional 40p on the drop of the flag for tariff 1 & 2 is applied to meet the additional costs being borne by the taxi trade.

Applying an inflationary increase of 3.3% in isolation would fail to recognise the significant increase in costs attributable to the Age & Emission policy which has increased capital costs and impacted on the residual values of the fleet.

We would urge the Committee to support this aspect of the review and note that Jacobs recommend approval @ 8.3 (option 3) in their report.

**3 -** The increase in Tariff 3 & 4 is designed to encourage drivers to operate during the festive season and ensure that they are suitably rewarded in line with other transport providers who provide at a service at this time. Licensing areas that border Edinburgh such as East Lothian already operate on a higher tariff with a £5 drop of the flag applicable during this period.

**4 -** Jacobs have recommended an increase to 30p, our only concern with this level of increase is operational as the extras increment on the meter will need to drop from 20p to 10p to facilitate this change.

**5 -** Cancellations are a problem and this can impact on service delivery, we support an increase that would seek to deter passengers from booking a taxi that is not required and compensate the driver for his loss of earnings.

**6 -** Agreed.

**7 -** The trade recognises the difficulties in dealing with this type of charge. Transport Hubs are it seems accountable to no one and they regularly increase their charges without consultation and apply a revised rate that far exceeds any recognised inflationary mechanism. During the term of the current tariff, Edinburgh Airport increased the drop off fee from £1 to £2 overnight and taxi drivers have been unable to recover that cost from the customer.

More recently the cost of picking up a pre booked customer has risen from £4 to £5 and the reduced cost applicable to decrement card holders is scheduled to rise in April 2020.

If your legal advice insists that an actual fee must be agreed then we would ask that you adjust the tariff in line with existing charges and seek further guidance on the options available to CEC to restrict transport hubs from profiteering at transport providers and the general public's expense.

**Murray Fleming**  
**Secretary**

Although we appreciate the Council requesting feedback from the trade representatives, we must point out that the timescales for fixing the new tariff will over run again. The existing tariff came into effect on 18<sup>th</sup> June 2018 and therefore in accordance with the Civic Government Scotland Act 1982 the new tariff should have been fixed by the 18<sup>th</sup> December 2019.

Relevant extract from the Act is detailed below:

**17 Taxi fares.**

*(2) The licensing authority must fix scales for the fares and other charges mentioned in subsection (1) within 18 months beginning with the date on which the scales came into effect.*

Assuming the Committee supports an increase in line with the recommendations the effect of this results is every taxi driver in Edinburgh who is entitled to the benefit of a fare increase is delayed and any additional income has been lost for that period and it can never be re-cooped by the trade. In an employee situation income would be backdated, however that is not possible for the taxi trade, so it is imperative that these dates are strictly adhered to in the future.

Unfortunately, due to the delay in the process the taxi trade is anticipating, at best the end of February 2020 or possibly March before the new tariff can be implemented, given the Committee calendar and the requirement to advertise any changes for 28 days. This will be a minimum of two months lost revenue for 3000+ Edinburgh Taxi drivers.

- 1. The proposal that a 3.3% fare increase should be applied to increments on Tariffs 1 and 2, is likely to be accepted and recommended to the committee.**

Agreed

- 2. The proposal that 40p should be added to the flag drop of all Tariffs.**

Agreed

**3. The proposal that, in addition to the above increases, a 3.3% fare increase should be applied to increments on Tariffs 3 and 4 causes concern, particularly as this would further increase the difference between Tariffs 1 and 2 and Tariffs 3 and 4. I would draw your attention to sections 8.4 and 9.3 of the Jacobs report (attached), which illustrate the resulting differences in the fares, in the event that this proposal is implemented.**

**Before Council Officers reach a decision about recommendation of this proposal, I invite trade members to submit further evidence showing:**

Unfortunately the report does not include a section 9.4 on the attached report and therefore I am unable to draw any conclusion. Please advise if this was a typing error or if any part of the attached report is missing...

**a) The additional costs borne by the trade which would justify these increases for the Christmas and New Year period; and/or**

This point is not about additional cost borne by the trade this is about incentivising the drivers to work on a day when most would choose to spend it with their families. The festive tariff was introduced over 20 years ago for the purpose of ensuring people could use the taxi services available and enjoy the festive period without concerns regarding transport. For example as the current scales are set, a taxi driver is earning less on tariff 3 on Xmas dayshift than a night shift driver would earn on boxing night on tariff 4. Prices are enhanced for all workers over the Xmas period and this should be reflected in the tariff for the taxi trade also. The highest rate available to a taxi driver (tariff 4) does not even equate to double time and it's currently set at approx. 1.8 x normal rate. If the drivers who operate on the CEC Tariff are not incentivised and do not choose to work their shifts then the public do not have choices and may be subjected to unlimited surge pricing from alternative transport options. For comparison we have established that Lothian Bus drivers who have over one years' service are entitled to double time and a day in lieu during this period which translates to the equivalent of triple time.

**b) Any evidence that the current fare levels at Christmas and New Year is negatively affecting the number of drivers working.**

Historically Xmas day has always been busy for the taxi trade as many people wish to celebrate and consume alcohol. In December 2014 Scotland lowered its drink driving limits to the lowest in the U.K. The limit is now 50 milligrams of alcohol per 100 millilitres of blood, or 22 micrograms of alcohol per 100 millilitres of breath. This change re-enforces the need to encourage professional drivers to make themselves available so others can be conveyed to their destinations.

Taxi Companies are a vital transport solution for Hospitals and a wide range of business during this period many relying on a service being provided to tourists.

What we are likely to see during the festive period is drivers working shorter hours as they choose to see their families and alter their work commitments accordingly.

**4. Jacobs has recommended an increase of the additional passenger charge to 30p.**

**Trade members are invited to submit evidence which would justify any increase of the additional passenger fee beyond a general inflationary uplift. It would also be useful to understand what percentage of hires trade members think such an increase would affect.**

The additional passenger charge has not been subject of any general inflationary uplift and has remained static for 22 years now. The amount increased from 10p to 20p in 1997 and has not changed since. There is no measure of how many passengers are in each vehicle per journey and therefore we cannot advise what percentage of hires would be affected.

**5. In terms of the proposal to increase the cancellation fee to £5, Council officers are unlikely to recommend this unless trade members can supply evidence that there is a problem with cancellations. Such**

**evidence might be made available from booking offices showing numbers and frequency of cancellations which would justify such an increase. It should be noted that the Jacobs report highlights that no other Local Authority has been identified as operating a similar level of fee.**

We have requested an increase in the amount for the cancellations to act as a deterrent rather than a desire to receive an enhanced cancellation fee. In the world of technology, we now live in there are a large number of people who book with multiple taxis companies and apps and then take the first vehicle to arrive with no regard for the other drivers. This results in unnecessary downtime and associated costs in addition to unnecessary emissions. The app companies operating in Edinburgh such as GETT & Uber are already charging £5 cancellation charge. We have analysed a one month period in November 2019 and the cancellation rate on contract jobs are at circa 2%. Approximately one in every 50 jobs results in a cancellation.

**6. In respect of amending the wording of the soiling charge, this is accepted, and the following wording will be recommended; *“Soiling Charge – maximum £50 payable by a passenger, where the vehicle required to be removed from service for cleaning in order for it to be restored to a useable state and condition”.***

Agreed

**7. In respect of tolls, charges and fees, I note the request from trade members. However, as explained during previous discussions on this issue, the Council’s position is that the Council is required to fix an actual fee and it is not legally permissible to allow an arrangement that any fee may be passed on without this being set on the fare card. Accordingly, it will be recommended to the committee that it should not make such a change. As an alternative I invite trade members to put forward proposals for a specific and fixed fee for airport charges, which the Council will consider.**

We have real concerns with regards to the council having no control over the charges being imposed at the airport. On 17/12/2019 the airport without consultation has increased the pre-booked pick-up charge from £4 to £5. Within 24 hours an online petition has gained more than 1500 signatures objecting to the increase. We can only support a fixed amount if there is an assurance from the council that they can re-visit the amount during the term of the Tariff out with the normal review (as was done during the fuel shortage circa 2008). There appears nothing to prevent the Authority from reviewing a particular charge from time to time although the request was made mid fare review when the airport doubled the drop off zone charge and the council would not consider reviewing the tariff fare card at the time. We would wish some assurance that if the Airport continue to increase charges, then the Council will look at revising the charge to ensure that drivers are not out of pocket. If that is acceptable to CEC then we would accept the amount is set equal to the current charges however it is worth noting that the Highland council DO NOT have a fixed amount on their tariff sheet and they are also governed by the Civic Government Scotland Act 1982 unlike many of the other cities used for comparison in the report which are English. We have done a basic calculation based on a quiet week in December (winter schedule) and due to the fact the council would not re-visit the tariff mid-term when the increase was imposed, the drivers in CRT alone are suffering cost of an additional £3000 per week. Over the entire Edinburgh taxi trade (we have approx. 1/3 of the fleet) the figure the entire trade is suffering is an additional charge to the airport of £9000 per week and since the introduction of the drop off increase from £1 to £2 in November 2018 (56 weeks ago) this has cost the taxi trade in the region of an additional £500,000. That figure is a conservative estimate as the number of jobs reduce during the winter schedule and that was the period the figures were calculated from. This amount is based on an increase of £1 per drop off.

Laura Lucas

Director

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



## Regulatory Committee

10.00am, Thursday, 9 January 2020

### Air Weapons and Licensing (Scotland) Act 2015 – Repeal of Theatres Act 1968 – Update After Statutory Consultation

Executive/Routine  
Wards  
Council Commitments

All

#### 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 statutory consultation;
  - 1.1.2 Agrees to vary the City of Edinburgh Council's Public Entertainment Resolution as set out in Appendix 2 to bring theatres in to the Public Entertainment Resolution, and note that this will take effect on 27 January 2021; and
  - 1.1.3 Agrees the revised fee structure by removing the Theatres category and to include this within the Public Entertainment Fees criteria, effective 28 days after the Resolution takes effect for any application received after that date.

**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

Contact: Gordon Hunter, Regulatory Officer

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

### **2. Executive Summary**

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- 2.1 This report provides the Committee with an update following the statutory consultation and requests that the Committee vary its Public Entertainment Resolution to include any theatrical performances including plays, ballet, comedy and musical productions within the Council's Public Entertainment Resolution.

### **3. Background**

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- 3.1 The Theatres Act 1968 ('the 1968 Act') provides a licensing regime for premises which are used for the public performance of plays. Section 41 of the Civic Government (Scotland) Act 1982 ('the 1982 Act') provides a discretionary licensing regime for places of public entertainment, and the definition of "place of public entertainment" in section 41(2) specifically excludes premises which are currently licensed under the 1968 Act. Prior to the commencement of section 74 of the Air Weapons and Licensing (Scotland) 2015 Act ('the 2015 Act'), theatres were required to be licensed under the 1968 Act and were therefore exempt from the licensing regime under the 1982 Act.
- 3.2 Section 74 of the 2015 Act repeals the 1968 Act and thus removes the licensing requirement. Section 74 also amends section 41 of the 1982 Act to remove the exemption of theatres from the definition of "place of public entertainment". This change in legislation allows a local authority to resolve under section 9 of the 1982 Act to license theatres under its public entertainment licensing regime, should it choose to do so.
- 3.3 Where a local authority passes a resolution to license theatres, there is a required period of at least nine months between the date the resolution is passed and the date it comes into effect. As theatres must currently be

licensed under the Theatres Act 1968, the commencement of section 74 is in two parts. The amendments to section 41 of the 1982 Act have now been brought into force with the repeal of the 1968 licensing regime on 27 January 2021. This is to provide local authorities with time to make a resolution to license theatres under the public entertainment licensing regime, and to have that regime in place by the time mandatory theatre licensing comes to an end, should they choose to do so. This should also give theatres requiring a licence sufficient time to apply and to secure a licence under the new scheme, before the existing scheme is repealed.

- 3.4 The licensing of places of public entertainment is governed by section 41 of the 1982 Act. A public entertainment licence is required for the use of premises as a place of public entertainment. The 1982 Act defines “place of public entertainment” as:

*“any place where on payment of money or money’s worth, members of the public are admitted or may use any facilities for the purposes of entertainment or recreation...”*

The Council’s Public Entertainment Resolution 2014 sets out a list of premises which are required to be licensed (Appendix 1).

- 3.5 The current public entertainment resolution took effect on 7 March 2014, following previous changes to policy.
- 3.6 In addition to a Theatre Licence, the majority of large theatres within the local authority area also have a licence granted under the Licensing (Scotland) Act 2005 and will therefore be exempt from a licence required under the 1982 Act.
- 3.7 The proposal to add theatres to the Public Entertainment Resolution is not an additional licensing burden but will allow the local authority to maintain an appropriate level of control in items of public safety, similar to that under the 1968 Act.
- 3.8 As directed by the committee at its meeting on 11 March 2019 an initial consultation on the proposed changes was published on the Council’s Consultation Hub between 10 June and 18 July 2019 with a view to changing the Public Entertainment Resolution to include theatrical performances.

## **4. Main report**

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- 4.1 As directed by the committee at its meeting on 19 August 2019 the statutory consultation was published with the proposed changes in the Edinburgh Evening News on 25 September 2019 (Appendix 1).
- 4.2 No responses were received in relation to the statutory consultation notice.
- 4.3 The steps for varying the resolution are specified in Section 9 of the 1982 Act. The consultation phase is now complete. If the Committee approves the

proposed changes to the Resolution then the new Resolution will take effect on 27 January 2021.

- 4.4 Following the statutory consultation, it is proposed that the Committee vary its Public Entertainment Resolution to include any theatrical performances including plays, ballet, comedy and musical productions within the Council's Public Entertainment Resolution as set out in Appendix 2 and note that this will take effect on 27 January 2021.
- 4.5 It is not proposed to amend the current licence fees for Public Entertainment to include a separate criterion for Theatrical performances and from implementation on 27 January 2021 the Theatre licensing fee will be replaced by the Public Entertainment licence fee.
- 4.6 The current Theatre fees broadly mirror the fees associated with Public Entertainment Licensing, as shown in Appendix 4. With the exception of the following:
  - 4.6.1 Theatres fees were not increased on 1 April 2019 in line with other application fees in the knowledge that Licencing of Theatres was to be abolished at the start of 2021. This accounts for the slight difference between the two fees.
  - 4.6.2 There is no discount within the Theatres fee structure for community and voluntary events. Once included within the Public Entertainment fee structure, voluntary and community groups will thereafter be able to take advantage of this discount.
  - 4.6.3 The licensing fees currently include a separate fee category for street theatre. There is no specific criterion for this type of activity within the Public Entertainment licence structure. There was only one application for a Street Theatre Licence in 2019, the majority of events of a similar nature have in the past applied for Public Entertainment Licences. It is therefore not proposed to create an equivalent fee in the public entertainment fee structure.

## **5. Next Steps**

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- 5.1 All existing Licence holders will be advised of the changes in legislation and Public Entertainment Resolution.

## **6. Financial impact**

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- 6.1 The Council's current 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.

- 6.2 The current fee for Theatres will no longer be applicable and the activity will fall under the current Public Entertainment Licence fees. There is expected to be a drop in licence fee income as some premises will benefit from the statutory exemption for premises holding a liquor licence.

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

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- 7.1 The development of policy in respect of the licensing of theatres is part of a wider place-making role for the Council. It is essential that all the strategic aims of the Council are considered and that the revised conditions are consistent with these.
- 7.2 There is a requirement to carry out a statutory consultation as part of the resolution process and the timeline for this is outlined in Appendix 3.
- 7.3 The contents and recommendations neither contribute to, nor detract from, the delivery of the three Public Sector Equality Duties.
- 7.4 The contents and recommendations described in this report do not deliver any outcomes relating to the ten areas of rights, nor do they enhance or infringe them
- 7.5 All licence holders were written to and advised of the consultation, which commenced on 10 June and finished on 18 July 2019.
- 7.6 The statutory consultation notice was published with the proposed changes in the Edinburgh Evening News on 25 September 2019.

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

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- 8.1 [Air Weapons and Licensing \(Scotland\) Act 2015 – Repeal of Theatres Act 1968](#) report to Regulatory Committee on 11 March 2019.
- 8.2 [Air Weapons and Licensing \(Scotland\) Act 2015 – Repeal of Theatres Act 1968](#) – Update After Initial Consultation report to Regulatory Committee on 19 August 2019

## **9. Appendices**

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- 9.1 Appendix 1 – Edinburgh Evening News Statutory Notice
- 9.2 Appendix 2 - The Council's Public Entertainment Draft Resolution 2020
- 9.3 Appendix 3 – Implementation timeline
- 9.4 Appendix 4 – Fees table

**THE CITY OF EDINBURGH COUNCIL  
CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (“the Act”)  
VARIATION OF PUBLIC ENTERTAINMENT RESOLUTION**

On 19 August 2019 the City of Edinburgh Council’s Regulatory Committee (‘the committee’) agreed to advertise its intention to vary the Council’s existing Public Entertainment Resolution (dated 7 March 2014).

Having carried out appropriate consultations on the following variation, the committee proposes to amend its current Public Entertainment Licence Resolution (‘the 2014 Resolution’) by means of the following:

To issue the City of Edinburgh Council’s Public Entertainment Resolution, to amend the categories of premises which are required to be licensed, by:-

- (a) Expanding the category specified in the 2014 Resolution relating  
Theatrical performances, to include any theatrical performances including plays, ballet, comedy and musical productions.

The Resolution comes into effect from 27 January 2021, following which it will be an offence under section 7 of the Act to do without a licence what is specified below as requiring to be licensed.

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.

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**THE CITY OF EDINBURGH PUBLIC ENTERTAINMENT RESOLUTION - DRAFT**

The City of Edinburgh Council, in exercise of its powers in terms of sections 9 and 41 of the Act, hereby makes the following resolution:-

(1) Section 41 of the Act relating to Public Entertainment shall continue to have effect throughout the Council’s area.

(2) Subject to the terms of the Act, a Public Entertainment licence shall be required for the use of the premises specified in (3) below as places of Public Entertainment as from 27 January 2021

(3) Subject to paragraphs (4) and (5) below, the premises in the Council’s area which require to be licensed under the Resolution are as follows:

- (a) Billiard, snooker and pool halls
- (b) Premises used for circuses

- (c) Premises used for firework displays
- (d) Premises used as sun-tan centres
- (e) Premises used for laser displays and games
- (f) Premises used for performing animals
- (g) Premises used for video machine arcades, Amusement Devices (including rides or machines or other such equipment including stalls, tents, booths or structures), which are installed or erected and operated for or in connection with the amusement or entertainment to the public, including without prejudice to the foregoing generality bouncy castles, carousels and bungee jumping and bungee running equipment
- (h) Premises used for paintball games
- (i) Premises used for the performance of music (whether live, recorded or amplified), any other concert venue, any rave or dance event.
- (j) Premises used for any theatrical performances including plays, ballet, comedy and musical productions.
- (k) Premises used for go-carting, off road driving courses or similar or any facility where the operator provides access to vehicles for entertainment purposes. Does not include the provision of vehicles as part of learner driver tuition.
- (l) Premises used for exhibitions
- (m) Premises used as gymnasiums

(4) BUT excluding the following places where **(a) where members of the public are admitted or may use any facilities for the purposes of entertainment or recreation without payment of money or money's worth and (b) the capacity does not exceed 500 persons:**

- (a) premises used for functions held by charitable, religious, youth, sporting, community, political or similar organisations;
- (b) premises used for exhibitions of art work;
- (c) premises in which live music is being provided incidentally to the main purpose or use of the premises where that main purpose or use is not as a place of public entertainment.

(5) and additionally **excluding the following places where (a) members of the public are admitted or may use any facilities for the purposes of entertainment and (b) the capacity does not exceed 250 persons:**

- (a) Premises used for functions or events by any charity, religious, community or political group or any similar non-commercial organisation.

**Paul Lawrence,**





**The Council's Public Entertainment Draft Resolution 2020**

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(a) Premises used for functions or events by any charity, religious, community or political group or any similar non-commercial organisation.

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

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**Implementation timeline**



## Fees table

Public Entertainment Licence Fees		Theatres Licence Fees	
Capacity 1 – 200	£1066 – 1 year new or temporary up to 28 days	Commercial operation – capacity 1 – 200	£955 – 1 year new or temporary up to 28 days
Capacity 1 – 200 <b>inc late application surcharge</b>	£1276 – temporary up to 28 days		
Capacity 1 – 200	£863 – 1 year renewal	Commercial operation – capacity 1 - 200	£776 – 1 year renewal
Capacity 201 - 1000	£1594 – 1 year new or temporary up to 28 days	Commercial operation – capacity 201 - 1,000	£1432 – 1 year new or temporary up to 28 days
Capacity 201 – 1000 <b>inc late application surcharge</b>	£1913 – temporary up to 28 days		
Capacity 201 - 1000	£1066 – 1 year renewal	Commercial operation – capacity 201 - 1,000	£955 – 1 year renewal
Capacity 1001 - 5000	£3197 – 1 year new or temporary up to 28 days	Commercial operation – capacity > 1,000	£2866 – 1 year new or temporary up to 28 days
Capacity 1001 – 5000 <b>inc late application surcharge</b>	£3837 – temporary up to 28 days		

Capacity 1001 - 5000	£2129 – 1 year renewal		Commercial operation - capacity > 1,000	£1911 – 1 year renewal
Capacity 5,001 - 10,000	£6395 - 1 year new or temporary up to 28 days			
Capacity 5,001 - 10,000 <b>inc late application surcharge</b>	£7660 – temporary up to 28 days			
Capacity 5,001 - 10,000	£4257 – 1 year renewal			
Capacity 10001 - 15,000	£10387 – 1 year new or temporary up to 28 days			
Capacity 10001 - 15,000 <b>inc late application surcharge</b>	£12459 – temporary up to 28 days			
Capacity 10001 - 15,000	£7788 – 1 year renewal			
Capacity > 15000	£13433 – 1 year new or temporary up to 28 days			
Capacity > 15000 <b>inc late application surcharge</b>	£16124 – temporary up to 28 days			
Capacity > 15000	£10074 – 1 year renewal			
			Street Theatre	£46 – per event/per day
			Street Theatre <b>inc late application surcharge</b>	£56 – per event/per day

PUBLIC ENTERTAINMENT – Variation to an existing licence			THEATRE - Variation to an existing licence	
Change to capacity > 15,000	£13455			
Change to capacity > 15,000 <b>inc late application surcharge</b>	£16145			
Change to capacity > 10,001 to 15000	£10400			
Change to capacity > 10,001 to 15000 <b>inc late application surcharge</b>	£12479			
Change to capacity 5,001 - 10,000	£6395			
Change to capacity 5,001 - 10,000 - <b>inc late application surcharge</b>	£7674			
Change to capacity 1,001 - 5,000	£3198		Change to capacity > 1,000	£2866
Change to capacity 1,001 - 5,000 - <b>inc late application surcharge</b>	£3837		Change to capacity > 1,000 <b>inc late application surcharge</b>	£3339
Change to capacity 201 - 1,000	£1609		Change to capacity 201 - 1,000	£1432
Change to capacity 201 - 1,000 - <b>inc late application surcharge</b>	£1931		Change to capacity 201 - 1,000 <b>inc late application surcharge</b>	£1669
Change to capacity 1 - 200	£1066		Change to capacity 1 - 200	£955
Change to capacity 1 – 200 - <b>inc late application surcharge</b>	£1278		Change to capacity 1 – 200 <b>inc late application surcharge</b>	£1112

Variation other than a capacity increase	£118		Variation other than capacity increase	£118																
Live animal supplement *	£224 – per event		Live animal supplement *	£224 – per event																
*any application that involves a vet inspection will be charged the full cost of that inspection <u>in addition</u> to the licence application fee			*any application that involves a vet inspection will be charged the full cost of that inspection <u>in addition</u> to the licence application fee																	
Hypnotism supplement	£224 – per event																			
The fee due for an application to increase the capacity of an existing public entertainment licence will comprise of the difference between (a) the fee due for a licence with the new increased capacity and (b) the fee already paid for a licence with the original occupant capacity as per the following;  <table><tr><td><u>example</u></td><td>£</td></tr><tr><td>(a) fee due for a licence with a capacity of 350</td><td>1594</td></tr><tr><td>(b) less the fee paid for a licence with a capacity of 200</td><td>1066</td></tr><tr><td>total fee payable for application to increase capacity</td><td>£528</td></tr></table>		<u>example</u>	£	(a) fee due for a licence with a capacity of 350	1594	(b) less the fee paid for a licence with a capacity of 200	1066	total fee payable for application to increase capacity	£528		The fee due for an application to increase the capacity of an existing theatre licence will comprise of the difference between (a) the fee due for a licence with the new increased capacity and (b) the fee already paid for a licence with the original occupant capacity, as per the following;  <table><tr><td><u>example</u></td><td>£</td></tr><tr><td>(a) fee due for a licence with a capacity of 350</td><td>1432</td></tr><tr><td>(b) less the fee paid for a licence with a capacity of 200</td><td>927</td></tr><tr><td>total fee payable for application to increase capacity</td><td>£505</td></tr></table>		<u>example</u>	£	(a) fee due for a licence with a capacity of 350	1432	(b) less the fee paid for a licence with a capacity of 200	927	total fee payable for application to increase capacity	£505
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<b>PUBLIC ENTERTAINMENT - Community/Charitable/Religious or Political Group Events</b>	
Free to enter events	
capacity up to 500 - <b>see note 5</b>	No Fee
capacity 501 - 2500	£155 – temporary up to 28 days
capacity 2501 - 5000	£309 – temporary up to 28 days
capacity greater than 5000	temporary up to 28 days - 25% discount of normal fee
capacity 501 - 2500	£412 – 1 year
capacity 2501 - 5000	£824 – 1 year
capacity greater than 5000	25% discount of normal fee - 1 year
<b>Public Entertainment – Free to enter events</b>	
no public entertainment licence is required for the following ‘free to enter’ events	
<ul style="list-style-type: none"> <li>• Events held by a charitable, religious, youth, sporting, community, political or similar organisation (see note 1) providing the capacity <b>does not exceed 500 people</b></li> <li>• premises used for exhibitions of art work</li> <li>• premises in which live music is being provided incidentally to the main purpose or use of the premises where that main purpose or use is not as a place of public entertainment.</li> </ul>	
<b>Pay to enter events</b>	
capacity of up to 250- <b>see note 6</b>	No Fee
capacity 251 - 2500	£155 – temporary up to 28 days
capacity 2501 - 5000	£309 – temporary up to 28 days
capacity greater than 5000	temporary up to 28 days - 25% discount of normal fee



capacity 251 - 2500	£412 – 1 year
capacity 2501 - 5000	£824 – 1 year
capacity greater than 5000	25% discount of normal fee - 1 year
<b>Public Entertainment – Pay to enter events with a maximum capacity of 250 people</b>	
<p>no public entertainment licence is required for premises used for functions or events by;</p> <ul style="list-style-type: none"> <li>any charity, religious, community or political group or any similar non-commercial organisation</li> </ul> <p>where the public pay to enter or use the any facilities for their entertainment provided the capacity <b>does not exceed 250 people</b></p>	

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