

Notice of meeting and agenda

Regulatory Committee

9.30 am Monday, 27th June, 2022

Dean of Guild Court Room - City Chambers

This is a public meeting and members of the public are welcome to attend or watch the live webcast on the Council's website.

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 Any items under "Private Business" will not be published, although the decisions will be recorded in the minute.

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1. Order of Business

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

2. Declaration of Interests

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

3. Deputations

- 3.1 If any.

4. Minutes

- 4.1 Minute of the Regulatory Committee of 31 March 2022 – submitted for approval as a correct record 5 - 10

5. Rolling Actions Log

- 5.1 Rolling Actions Log 11 - 16

6. Business Bulletin

- 6.1 None.

7. Executive Decisions

- 7.1 Licensing Service Update and Draft Regulatory Committee Work Programme – Report by the Executive Director of Place 17 - 24

8. Routine Decisions

- 8.1 None

9. Motions

- 9.1 None.

Nick Smith

Service Director, Legal and Assurance

Committee Members

Councillor Neil Ross (Convener), Councillor Jack Caldwell, Councillor James Dalgleish, Councillor Denis Dixon, Councillor Catherine Fullerton, Councillor Martha Mattos Coelho, Councillor Ross McKenzie, Councillor Joanna Mowat and Councillor Susan Rae

Information about the Regulatory Committee

The Regulatory Committee consists of 9 Councillors and is appointed by the City of Edinburgh Council. This meeting of the Regulatory Committee is being held in the Dean of Guild Court Room in the City Chambers on the High Street in Edinburgh.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Rachel Gentleman, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4107, email rachel.gentleman@edinburgh.gov.uk / matthew.brass@edinburgh.gov.uk.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to <https://democracy.edinburgh.gov.uk/>.

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Minutes

Regulatory Committee

2.00pm, Thursday 31 March 2022

Present

Councillors Fullerton (Convener), Dixon (Vice-Convener), Bruce (substituting for Councillor Mitchell), Griffiths (substituting for Councillor Arthur), Mowat, Perry (substituting for Councillor Wilson) Rae, Rose and Neil Ross.

1. Minutes

Decision

To approve the minute of the Regulatory Committee of 28 February 2022 as a correct record.

2. Air Weapons and Licensing (Scotland) Act 2015 – Sexual Entertainment Venues – Proposed Resolution, Policy and Conditions - Update

2.1 Deputation – Women’s Support Project

The deputation made the following key points:

- If the Council was to meet its duty to adhere to Human Rights policies, then a nil cap policy should be imposed;
- The Committee should consider the role that Sexual Entertainment Venues (SEVs) played in the objectification of women; and
- That the Council had an obligation to adhere to public sector equality duties and to consider how SEVs damaged the equalities perception in Edinburgh.

2.2 Deputation – Not Buying It

The deputation made the following key points:

- That from looking at information on SEVs in England since regulations were introduced there, criminal offences still occurred with regulations in place; and
- That the only way to regulate the industry was by not allowing it and imposing a nil cap policy.

2.3 Deputation – Men at Work CIC

The deputation stated that the sexual objectification of women in SEVs had a detrimental impact on young men and their expected image of women as they grew older, and asked that a nil cap be introduced.

2.4 Deputation – Equally Safe Edinburgh Committee

The deputation stated that there were no conditions in which a Sexual Entertainment Venue could be deemed 'safe', and that introducing regulation would only legitimise an already exploitative industry.

2.5 Deputation – Survivors United

The deputation highlighted that women working in SEVs were subject to sexual assault and sexual objectification and asked that a nil cap be introduced.

2.6 Deputation – United Voice of the World

The deputation made the following key points:

- Their objection to the introduction of a nil cap policy and that the majority of the public also objected, as per the consultation responses received;
- If SEVs were forced to close, the industry would go underground with more dangerous working conditions and increased threat to workers; and
- If a number-capped policy was introduced, the opportunity to create better working conditions, improved worker's rights and a happier workforce would result.

2.7 Deputation – Burke and Hare

The deputation made the following key points:

- That the Burke and Hare venue was a safe and controlled environment where workers were treated fairly;
- The proposal to introduce a nil cap policy had the potential to disrupt the safe and controlled environment of an SEV and move the industry underground, where workers would be more vulnerable;
- This was apparent throughout the Covid-19 pandemic, where workers attended private parties and stated they did not feel safe; and
- Their objection to the introduction of a nil-cap policy.

2.8 Deputation – United Sex Workers

The deputation made the following key points:

- That in cities that had already implemented a nil-cap policy the crime (including sexual assault) rates had increased;
- The fact that crime rates had increased in cities with a nil-cap policy confirmed that SEVs were not 'hubs' of violence, illegality and crime as had been suggested; and
- The Committee should consider the impact on unemployment rates in Edinburgh if it agreed to introduce a nil-cap policy.

2.9 Deputation – Western Bar Dancers

The deputation made the following key points:

- If a nil cap policy was introduced, SEV workers would move to cities where they had no network or support system in place. The deputation gave the example of the safe route home policy they have at Western Bar, where workers were offered a safe journey home post-shift; and
- The deputation requested that Councillors did not forget that working in SEVs was an educated choice, and dancers were not forced into the line of work.

2.10 Deputation – Dancers Group

The deputation made the following key points:

- That dancers were safe in Edinburgh, and the objectification experienced by dancers outside of SEVs was worse than when working;
- The public consultation was now out-of-date as it was carried out over 2-years ago when many dancers did not know it was taking place; and
- Their objection to the introduction of a nil-cap policy.

2.11 Deputation – Babydolls Showbar

The deputation made the following key points:

- If the safety net of regulated SEVs was taken away, the safety of dancers would be a major concern in underground events;
- SEVs were compliant when engaging with local authorities and police and had a good working relationship with both; and
- Their objection to the introduction of a nil-cap policy.

2.12 Report by the Executive Director of Place

Approval was sought to adopt a Sexual Entertainment Venue (SEV) licensing resolution in terms of the Civic Government (Scotland) Act 1982 (“the Act”) that would require the licensing of SEVs within Edinburgh, and thereafter to determine the limit on the number of SEV premises permitted to operate in Edinburgh and to adopt the proposed licensing policy statement and standard licensing conditions appended to the report.

The Committee, having deliberated on the terms of said report and having considered the evidence provided in relation to the above, then considered the following motions: -

Motion

- 1) To agree to resolve that Schedule 2 of the Civic Government (Scotland) Act 1982 (‘the 1982 Act’) shall be effective within the City of Edinburgh for the purpose of licensing Sexual Entertainment Venues and to make a resolution to license Sexual Entertainment Venues (as set out at Appendix 11 to the report by the Executive Director of Place) from 1 April 2023, and accordingly to adopt a scheme to license Sexual Entertainment Venues in terms of the 1982 Act from the said date thereafter.
- 2) To note that Committee was required to determine a Sexual Entertainment Venues number appropriate for the City of Edinburgh Council area and to

produce and publish a Sexual Entertainment Venue Licensing Policy for the said area all in terms of the 1982 Act.

- 3) To note the updated advice received from officers in respect of what should be considered if the Committee introduced a limit for the number of Sexual Entertainment Venues.
- 4) To agree to determine the appropriate number of SEVs within the City of Edinburgh as four. Thereafter agrees that in the event that the number of licences granted to SEVs operating within the city should fall below four, instructs officers to report such reduction to Committee and thereafter to commence a review of the current numbers limitation in order that Committee may consider whether the said number of SEV licences continues to be appropriate.
- 5) To agree to the proposed Sexual Entertainment Venues licensing policy statement set out at Appendix 9.
- 6) To agree that the policy shall include a statement that any area in the city other than in the city centre ward would not be considered suitable for the operation of a Sexual Entertainment Venue.
- 7) To agree to the proposed standard licensing conditions for Sexual Entertainment Licences set out at Appendix 10.
- 8) To note that officers would advertise the resolution and publish the Licensing Policy Statement as required in terms of the 1982 Act.

- moved by Councillor Fullerton, seconded by Councillor Rae.

Amendment

- 1) To agree to resolve that Schedule 2 of the Civic Government (Scotland) Act 1982 ('the 1982 Act') shall be effective within the City of Edinburgh for the purpose of licensing Sexual Entertainment Venues and to make a resolution to license Sexual Entertainment Venues (as set out at Appendix 11 to the report by the Executive Director of Place) from 1 April 2023, and accordingly to adopt a scheme to license Sexual Entertainment Venues in terms of the 1982 Act from the said date thereafter.
- 2) To note that Committee was required to determine a Sexual Entertainment Venues number appropriate for the City of Edinburgh Council area and to produce and publish a Sexual Entertainment Venue Licensing Policy for the said area all in terms of the 1982 Act.
- 3) To note the updated advice received from officers in respect of what should be considered if the Committee introduced a limit for the number of Sexual Entertainment Venues and agree that the City of Edinburgh Council would set the number of SEVs at zero within Edinburgh.
- 4) To agree to the proposed Sexual Entertainment Venues licensing policy statement set out at Appendix 9.
- 5) To agree that the policy shall include a statement that any area in the city other than in the city centre ward would not be considered suitable for the operation of a Sexual Entertainment Venue.
- 6) To agree to the proposed standard licensing conditions for Sexual Entertainment Licences set out at Appendix 10.

- 7) To note that officers would advertise the resolution and publish the Licensing Policy Statement as required in terms of the 1982 Act.

- Moved by Councillor Griffiths, seconded by Councillor Rose.

Voting

The voting was as follows:

For the Motion - 4

For the Amendment - 5

(For the Motion: Councillors Dixon, Fullerton, Rae and Neil Ross.

For the Amendment: Councillors Bruce, Griffiths, Mowat, Perry and Rose)

Decision

To approve the amendment by Councillor Griffiths.

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

3. Short Term Lets: New Licensing Powers Consultation

An update on the new powers given to local authorities to regulate short term lets was presented to Committee. The report detailed the considerations the Council would need to make in the implementation of new policies and proposed a statutory consultation on a draft short term lets policy statement.

Decision

- 1) To note the commencement of the Civic Government (Scotland) Act 1982 (Licensing of Short Term Lets) Order 2022 on 1 March 2022.
- 2) To note that as a result of the provisions of the legislation, local authorities must open a licensing scheme for short term lets by 1 October 2022.
- 3) To instruct officers to carry out a statutory consultation on the draft policy and conditions framework for short terms lets.

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

4. Animal Welfare Regulations

Approval was sought for the new licensing regime for selling, rehoming, breeding and operating animal welfare establishments.

Decision

- 1) To note the report.
- 2) To agree to implement the new licensing regime and note the fee structure and mandatory conditions of licence as set out in Appendices 1 to 8 of the report by the Executive Director of Place.
- 3) To agree to delegate authority to the Executive Director of Place to determine whether to grant, renew or vary any licence under the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021.

- 4) To instruct the Chief Executive to include this additional delegation in future drafts of the Council's Scheme of Delegation when submitted to Council for approval.

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

5. Internal Audit: Overdue Findings and Key Performance Indicators as at 26 January 2022 – referral from the Governance, Risk and Best Value Committee

The Governance, Risk and Best Value Committee referred a report on Internal Audit's Overdue Findings and Key Performance Indicators as at 26 January 2022 for further scrutiny.

Decision

To note the status of the overdue Internal Audit findings as at 26 January 2022.

(References – Governance, Risk and Best Value Committee 8 March 2022 (Item 8.1); Report by the Executive Director of Corporate Services, submitted.)

Rolling Actions Log

Regulatory Committee

27 June 2022

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
1	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 Corporate Services			
			1. Payments and Charges - Processes	Executive Director of Place	October 2022	April 2022	Closed
			2. Payments and Charges – BACs payment	Executive Director of Place	October 2022	April 2022	Closed
			3. Payments and Charges - BACS payment reference	Executive Director of Place	Dec 2021	February 2022	Closed

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			4. Inspection Revisit Policy	Executive Director of Place	March 2021	March 2021	Action complete
			5. Allocation of Inspection Visits	Executive Director of Place	November 2019	March 2021	Action complete
			6. Inspection documentation	Executive Director of Place	October 2019	29 January 2020	Action complete
			7. Request Refund Policy	Executive Director of Place	October 2019	2 November 2020	Action complete
			8. Reconciliation between physical applications and APP system	Executive Director of Corporate Services	October 2019	2 November 2020	Action complete
			9. HMO Key Performance Indicators and Performance Reporting	Executive Director of Place	February 2022	April 2022	Action closed through risk acceptance

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			10. Training and Guidance documentation	Executive Director of Place	November 2020	18 January 2021	Action complete
			11. HMO application processing procedures	Executive Director of Place	December 2019	2 November 2020	Action complete
2	09.03.20	Private Hire Car Overprovision	<p>To instruct officers to undertake the actions as detailed in section 5 of the report:</p> <ul style="list-style-type: none"> Officers would undertake necessary actions to appoint an appropriately experienced and skilled external consultant to undertake the required research and analysis work on taxi demand and assessment of PHC overprovision. A full equalities impact assessment would be required with regard to any recommendations that the 	Executive Director of Place	Dec 2021		<p>Procurement of consultants was delayed by the public health emergency. Report appointing consultants approved by Finance and Resources Committee in March 21.</p> <p>Initiation meeting with consultants has taken place.</p> <p>Research by the consultants has commenced</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>consultant submitted to the Council.</p> <ul style="list-style-type: none"> • In addition, officers would continue to engage directly with relevant stakeholders. • Upon conclusion of any research and analysis completed by an appointed contractor, officers would present the collected data and any supporting information to the committee. • It was intended to undertake consultation with a wider group, including making the results of the research and any recommendations brought forward by officers, available for public consultation. 				

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
3	18.01.21	Licensing Policy Development – Street Trading Update	To agree that the Convener would write to the Executive Director of Place to request a short-term plan which would consider opportunities for street trading, including the use of vacant properties, and to consider a longer term plan to facilitate street trading.	Convener / Executive Director of Place	2022		Included within the draft workplan subject on the agenda for committee. A further report will be brought forward in 2022.
4	23.08.21	House in Multiple Occupation – Service Update	<ol style="list-style-type: none"> 1) To agree the change in process in relation to property inspections with the introduction of a risk-based inspections model. 2) To agree that decisions on whether to make one and three year grants of HMO Licences would continue to be delegated to the Executive Director of Place and that three year licences would only be suitable for properties which were fully compliant and which had had no 	Executive Director of Place	August 2022		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>problems in the previous licensed period.</p> <p>3) To agree that a review of the current structure for HMO application fees would be undertaken.</p> <p>4) That the Executive Director of Place report back to Committee in one year with an update on progress.</p>				
5	02.12.21	Air Weapons and Licensing (Scotland) Act 2015 – Sexual Entertainment Venues – Proposed Resolution, Policy and Conditions	To agree to continue the consideration of the report to the next committee cycle to allow legal advice to be sought where necessary.	Executive Director of Place	February 2022	March 2022	Recommended for closure – additional meeting heard on 31 March 2022

Regulatory Committee

9.30am, Monday, 27 June 2022

Licensing Service Update and Draft Regulatory Committee Work Programme

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 Regulatory Committee is asked to:
 - 1.1.1 Note the update on the workload of the Licensing Service;
 - 1.1.2 Note the current issues and agree the proposed work programme for Committee, as outlined in Appendix 1;
 - 1.1.3 Confirm the format and frequency of updates on the Licensing Service workload; and
 - 1.1.4 Agree the proposed training programme for Committee members.

Paul Lawrence

Executive Director of Place

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Licensing Service Update and Draft Regulatory Committee Work Programme

2 Executive Summary

- 2.1 This report sets out a proposed future work programme to assist the Regulatory Committee in consideration of its priorities following the local government elections. The proposed work programme includes both existing work streams and additional issues which officers have identified.
- 2.2 The report also provides an update on the challenges the Licensing Service continues to face as a result of the COVID-19 pandemic, and the steps being taken to address these.

3 Background

- 3.1 The Council acts as Licensing Authority as required by a number of Acts, the two most important being the Civic Government (Scotland) Act 1982 ('the 1982 Act') and the Housing (Scotland) Act 2006 ('the 2006 Act').
- 3.2 The Air Weapons and Licensing (Scotland) Act 2005 introduced changes to the 1982 Act, which may impact on Committee workload in future.
- 3.3 Furthermore, as a result of legislation introduced by the Scottish Government, the Council will be required to introduce a new mandatory licensing scheme for short term lets (STL) later this year.
- 3.4 In line with official guidance from the UK and Scottish Governments, all Council services implemented changes due to the lockdown measures introduced on 23 March 2020. At that time, all Regulatory and Licensing Sub-Committee and Licensing Board meetings were suspended.

4 Main report

Licensing Service Workload

- 4.1 The Licensing Service continued to provide essential services throughout the COVID-19 pandemic, but this has not been without challenges. Significant

investment was required to provide mobile devices such as laptops, mobile phones and iPads, which were necessary to support staff working from home for the extended period.

- 4.2 Whilst staff adapted well to working remotely, the approach presented a series of challenges such as:
 - 4.2.1 The volume of applications remained high throughout the pandemic, with applications in anticipation of potential lifting of restrictions leading to increased demand for support from licensing customers. This peaked at 800 customer communications (via email and telephone) per day, with customers seeking reassurance or advice on the impact of the public health restrictions. More recently the volume has dropped to an average of 200 contacts per day.
 - 4.2.2 Whilst remote working was possible using mobile technology, the licensing process itself had to be manually managed for each individual application. The service was, in effect, receiving thousands of applications by email with images attached as single pages, whereas previously this would have been a scanned complete application. Timescales were therefore extended by up to 10 times of pre-pandemic levels.
 - 4.2.3 Internal communication with licensing consultees internal and external to the Council, was limited by the ability of other teams also working remotely and with other service demands and priorities.
 - 4.2.4 The Customer Hub would normally have accepted customer payments and applications but was closed until February 2022. A work-around for online payment had to be created.
- 4.3 The Licensing Service has also been required to carry out significant additional work such as the administration of Scottish Government grant funds to the taxi and private hire car (PHC) trade. Between Summer 2021 and Spring 2022, the service administered the grant schemes, with over 13,000 payments worth over £16m made to the trade.
- 4.4 The service has also been carrying out property inspections and disclosure checks on potential hosts as part of the 'Homes for Ukraine' scheme. The Council has currently received 1,080 offers of accommodation and, at the time of writing, officers have carried out approximately 400 property inspections. It is possible that a further 1,200 properties will require inspection and associated disclosure checks.
- 4.5 Lastly, although outwith the remit of this Committee, the service has been responsible for processing a significant number of occasional licence applications and outdoor area permit applications, which have helped businesses to make the most of outdoor spaces as lockdown measures have eased. These were essential to allow hospitality businesses to safely reopen after the lockdown periods and to continue to trade during the period when capacity was restricted in many venues.

- 4.6 The issues above created a backlog of 12,000 applications. Fully in line with the corporate approach in February 2022, staff began a hybrid work model of three days per week working in the office and two days working from home. The backlog has since reduced to 7,946 applications (at the time of writing). The service would normally be working on 20-25% of its annual applications at any one time, which would be between 4,000 and 6,000 applications. It is hoped to return to these pre-pandemic levels by the end of September. This timescale takes account of the large upturn of demand due to the temporary licensing requirements involved in delivering licensing of all summer events and the festivals. Updates will be provided to Committee, and it would be helpful if Committee could indicate a preferred format and frequency.
- 4.7 Plans are continually being reviewed to address issues arising from current circumstances and backlog. New applications will continue to be prioritised in order to ensure that applicants do not experience unnecessary delays which would prevent trading. Those who have submitted renewal applications can continue to trade whilst these are processed and, while this does not disadvantage licence holders in terms of trading, it is recognised that processing delays as a result of the challenges faced will cause inconvenience to some licence holders.
- 4.8 Work continues on the upgrade to the current 'Civica APP' information management system to 'Civica Cx'. This system, which will be introduced incrementally, requires significant investment but in the longer term will provide significant efficiencies for the service and will improve the customer experience. The system will also make it less likely that application backlogs will be created in future. The service is due to commence integration of the new system in October 2022.

Committee Work Programme

- 4.9 A draft work programme for Committee has been prepared to consider and this is attached in Appendix 1. The items in the draft work programme are principally work which commenced during the previous term of the Council or items of business that would normally be dealt with by a committee to address statutory or legal requirements. The most immediate of these issues are set out in more detail below.

Short Term Lets Licensing Scheme

- 4.10 On 1 March 2022, the Civic Government (Scotland) Act 1982 (Licensing of Short Term Lets) Order 2022 ('the 2022 Order') was enacted to introduce new powers for local authorities to regulate short term lets of accommodation (STL) by the introduction of a mandatory licensing scheme. The scheme includes a mandatory safety requirement that will cover every type of STL to ensure a safe, quality experience for visitors. It will also include a 'fit and proper' test to assess whether the applicant is suitable to hold such a licence, as with all other types of licensable activities under the 1982 Act. The Council also has the discretion to apply further appropriate conditions to address any localised concerns.
- 4.11 The 2022 Order sets out a timetable for the implementation of the licensing scheme, which will be incremental to give hosts and operators time to comply. The timeline

for local authorities to open a licensing scheme for short term lets to applications is as follows:

4.11.1 October 2022 – Licensing scheme opens to applications;

4.11.2 By 1 April 2023 – Existing hosts or operators must have made an application to the Council, and if they have done so they can continue to operate whilst their application is processed and determined. New entrants to the market will be required to have a licence application granted before being able to operate; and

4.11.3 1 July 2024 – All STLs to be licensed.

4.12 The implementation of any discretionary powers or conditions requires the Council to carry out a statutory consultation on whether or not to adopt further powers and their scope. On [31 March 2022](#), Regulatory Committee approved a two-stage consultation exercise, with each stage lasting eight weeks. At the time of writing, 1,079 responses to the initial consultation have been received. Issues such as noise, anti-social behaviour, impact on housing and the benefits of tourism to the city have been highlighted.

4.13 Following consideration of the results from the initial consultation, a draft statement of licensing policy and licence conditions framework will be developed. A second consultation will ask for views on the draft policy and conditions, with the results being presented to Committee for consideration.

Sexual Entertainment Venues licensing

4.14 On [31 March 2022](#), Regulatory Committee agreed to introduce a licensing scheme for Sexual Entertainment Venues (SEVs) by making a resolution in terms of section 45B of the 1982 Act. The scheme will come into effect from 1 April 2023.

4.15 Ahead of the licensing scheme coming into force, officers will bring forward a further report, which will set out a proposed fee structure for SEVs to ensure that all licensing costs are fully recovered. The Licensing Sub-Committee may be required to deal with applications for these licences during 2023.

Houses in Multiple Occupation (HMO)

4.16 Committee had previously agreed that officers should carry out a review of existing HMO licence application fees to ascertain whether any changes are required to reflect the current cost to the Council of dealing with an application. A report on this will be submitted later this year.

4.17 The City of Edinburgh Council agreed a motion with respect to elements of HMO licensing – to consider where standards applying to landlords could be raised and best practice amongst letting agents could be encouraged. Committee agreed that officers would consult on whether the HMO standard conditions should be amended to require licence holders, and agents acting on their behalf, to provide adjoining properties with emergency contact details annually. In addition to this work, a best practice guide for licence holders and agents is being developed, which will be presented to the Committee for consideration.

- 4.18 Additionally work has commenced to explore whether a training programme would assist in addressing some of the issues raised by residents and help to drive up standards in the sector. This could be similar to the mandatory training programme which is currently in place for licensed taxi and private hire drivers, and a report on this work will also be brought forward in due course.

Street Trading

- 4.19 Prior to the COVID-19 pandemic, several city centre locations had been redeveloped to improve the quality of their public spaces. This has led to competing demands for the use of public space, with a consequential increase in the volume of licence applications for street trading. Areas particularly affected by this increased demand and lack of available space include Castle Street, High Street, Hunter Square and Grassmarket.
- 4.20 Public realm space continues to attract significant demand from street traders, market operators, parades and processions and event organisers. In particular, the demand for street trading space in the city centre is currently greater than the spaces available. Furthermore, there have been historic concerns in areas such as the High Street and Playfair Steps. Officers will work with Committee to shape how work in this area will be taken forward.

Committee training

- 4.21 In order to assist committee members with their consideration of licensing policy and applications, it is proposed that an extensive programme of training will be provided. It is proposed that the training will cover the following key areas of licensing:
- 4.21.1 HMO and STLs;
 - 4.21.2 Civic and temporary licensing including an awareness of other regulatory regimes such as liquor licensing/planning; STLs
 - 4.21.3 SEVs; and
 - 4.21.4 Taxi and Private Hire Car vehicle and driver licensing.
- 4.22 It is also planned that colleagues from Legal Services will provide a session which has an overview of legal cases in which the Council has recently been involved. This is intended to inform future decisions that Committee may have to make in relation to individual licence applications and wider policy.
- 4.23 Lastly, arrangements will be made so that members will have the opportunity to visit the Taxi Examination Centre at Murrayburn, where all taxi and private hire vehicles are inspected. There will also be the opportunity to attend HMO property inspections alongside officers from the Licensing Service, in addition to accompanying enforcement officers on visits to licensed premises.

5 Next Steps

- 5.1 Officers will bring forward reports as required and in consultation with the Committee based on the agreed work programme.
- 5.2 If Committee approve the proposed programme of training, officers will begin implementation of this.

6 Financial impact

- 6.1 Fees received from all areas of licensing are the only source of income for the Licensing Service.
- 6.2 There is an outstanding remit to bring forward proposals for a fee structure specifically for STL and SEVs that will be reported to Committee for approval. There is a separate remit to report back on the HMO fee structure which will also be reported to Committee for approval.

7 Stakeholder/Community Impact

- 7.1 A public consultation is ongoing in relation to the development of a STLs licensing policy and conditions framework. Public consultations are also planned in respect of HMO conditions and street trading policy.

8 Background reading/external references

- 8.1 None.

9 Appendices

- 9.1 Appendix 1 – Proposed Strategic workplan for Regulatory Committee.

Appendix 1

Issue	Licensing Subject	Action
Taxi Examination Centre	Taxi/PHC Licensing	Relocation of centre and staff from Murrayburn To create a multi-functional service delivering processing, guidance, inspection, enforcement and complaints handling
ICT systems	Introduction of Cx	Introduction of automated ICT system for applications and mobile working for inspection and enforcement
Taxi Unmet Demand/Overprovision of taxi/PHC	Taxi/PHC Licensing	Report to Regulatory Committee following Motion at Full Council. Jacobs consultation exercise underway
Licensed Driver Training Programme	Taxi/PHC Licensing	Rollout of training requirement for existing licensed drivers.
Taxi Fare Review	Taxi/PHC Licensing	Carry out statutory review of taxi fare scales by May 2023
Taxi Stances	Taxi/PHC Licensing	Joint report to Transport and Environment Committee and Regulatory. Roads Service has started consultation exercise being run by Jacobs
Age and Emissions	Taxi/PHC Licensing	Annual update on policy implementation and update on impact of LEZ on the licensed fleet
Short Term Let Licensing Scheme	Civic	Agree policy and conditions for new licensing scheme and implementation from 1 October 2022 Agree fee structure for licence applications
Street Trading	Civic	Regulatory Committee paused review of arrangements in the High St and Hunters Sq. Review of arrangement which were formerly in place for Playfair Steps.
Houses in Multiple Occupation (HMO)	HMO	Review of two licence conditions and consulting on a code of conduct for landlords. Consider if there are further measures such as training which would improve standards in the sector/ Review of existing fee structure and criteria for granting a three year licence.
Sexual Entertainment Venues	Civic	Agree fee structure to apply to applications received from 1 April 2023