

Notice of meeting and agenda

Regulatory Committee

10.00 am Monday, 1st May, 2023

Dean of Guild Court Room - City Chambers

This is a public meeting and members of the public are welcome to attend or watch the webcast live 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 Any items under "Private Business" will not be published, although the decisions will be recorded in the minute.

Contacts

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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

- | | | |
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| 4.1 | Minute of the Regulatory Committee of 6 February 2023 – submitted for approval as a correct record | 7 - 12 |
| 4.2 | Minute of the Regulatory Committee of 13 March 2023 – submitted for approval as a correct record | 13 - 14 |

5. Rolling Actions Log

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| 5.1 | Rolling Actions Log | 15 - 20 |
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6. Business Bulletin

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| 6.1 | Regulatory Committee Business Bulletin | 21 - 28 |
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7. Executive Decisions

7.1	Sexual Entertainment Venues (SEVs) - Update Following Judicial Review – Report by the Executive Director of Place	29 - 50
7.2	Review of Taxi Fare Structure – Outcome of Consultation – Report by the Executive Director of Place	51 - 62
7.3	Short Term Let Licensing Policy – Minor Updates – Report by the Executive Director of Place	63 - 66
7.4	Licensing Policy Development – Street Trading Update – Report by the Executive Director of Place	67 - 94
7.5	Food Health and Safety Business Plan 2023/24 – Report by the Executive Director of Place	95 - 120

8. Routine Decisions

8.1	Trusted Trader Scheme Annual Report – Report by the Executive Director of Place	121 - 126
8.2	Changes to Legislation on the Sale and Use of Fireworks in Scotland - referral from the Culture and Communities Committee	127 - 144

9. Motions

- 9.1 Motion by Councillor Ross – Hire Trade Age Policy
- “Committee notes:
1. The previous representations it has received from representatives of the taxi and private hire car trades concerning the high demand for, and low supply of, second-hand Euro 6 standard taxis and the high cost of new and second-hand electric vehicles.
 2. There were 259 Euro 5 taxis and 268 Euro 5 PHCs in Edinburgh, representing respectively 20% and 13% of the total numbers, along with 761 Euro 6 taxis and 1,227 Euro 6 PHCs, representing respectively 60% and 59%, as recorded

in the report presented to committee in November 2022.

3. Euro 5 taxis, that have been retrofitted via a Clean Vehicle Retrofit Accreditation Scheme (CVRAS) approved by the Energy Saving Trust, will be able to enter Edinburgh's Low Emission Zone without penalty when enforcement starts on 1 June 2024, as outlined in the Business Bulletin presented to committee in February 2023.
4. Euro 6 vehicles will start being impacted by the 10-year age limitation in 2024.
5. There are a number of issues, in addition to those listed above, which are likely to have an impact on the number of taxis and PHCs in the next few years, such as the availability of vehicles capable of carrying wheelchair passengers.

Committee therefore agrees:

6. For the temporary period only from 1 May 2023 to 30 April 2024 inclusive ("the relevant period"), to amend standard condition 256 of the Council's standard conditions for the holders of existing taxi licences to permit the use of Euro 6 vehicles, and CVRAS retrofitted Euro 5 vehicles, less than 15 years old to be licensed as taxis. Accordingly, such a licensed vehicle submitted for test during the relevant period in respect of renewal of a taxi licence prior to the 14th anniversary of its registration may continue to operate as a taxi.
7. For the temporary period only from 1 May 2023 to 30 April 2024 inclusive, ("the relevant period") to amend standard condition 303 of the Council's standard conditions for existing PHC licences to permit the use of Euro 6 vehicles, less than 15 years old to be licensed as private hire cars (PHCs). Accordingly, a licensed vehicle submitted for test during the relevant period in respect of renewal of a PHC licence prior to the 14th anniversary of its registration may continue to operate as a PHC.
8. That there will be no change to the requirement to meet the relevant Euro Standard, notwithstanding the temporary amendment to conditions outlined above.
9. To ask officers to engage with the hire car trade to discuss these issues along with possible solutions and any possible

licensing responses and to bring a report to committee in four cycles.

10. To ask the Convener to write to the Scottish Government to seek engagement on vehicle age and emission issues as they apply to the hire car trade.”

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 Joanna Mowat and Councillor Susan Rae and a Labour Group vacancy.

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 City Chambers, High Street, Edinburgh and virtually by Microsoft Teams.

Further information

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, email Lesley.birrell@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.

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