

Minutes

Regulatory Committee

10.00am, Friday 21 June 2024

Present

Councillors Ross (Convener), Caldwell, Dixon, Graham, Mattos-Coelho, Mowat, Pogson (substituting for Councillor Walker) and Rae.

1. Deputation

Association of Hackney Carriage Drivers of the City of Edinburgh

(in relation to item 11 - Motion by Councillor Graham – Black Cabs)

The deputation supported the motion by Councillor Graham which called for a report on allowing taxi drivers to display Association of Hackney Carriage Drivers of the City of Edinburgh stickers in or on vehicles. Current policy did not permit the display of such stickers.

2. Minutes

Decision

- 1) To approve the minute of the Regulatory Committee of 5 February 2024 as a correct record, subject to subject to an amendment at item 6 (air weapons) point 4 to read 'To agree that the policy'.
- 2) To approve the minute of the Regulatory Committee of 5 March 2024 as a correct record.
- 3) To approve the minute of the Regulatory Committee of 13 May 2024 as a correct record.

(References – Minutes of Regulatory Committee of 5 February 2024, 5 March 2024 and 13 May 2024, submitted.)

3. Work Programme

The Work Programme for June 2024 was presented.

Decision

To note the Work Programme.

(Reference – Work Programme, submitted.)

4. Rolling Actions Log

The Rolling Actions Log for June 2024 was presented.

Decision

- 1) To agree to close the following actions:
 - 2(1) - Motion by Councillor Ross – Hire Trade Age Policy
 - 5 - Business Bulletin
 - 6(4) & (5) - Short Term Let Enforcement in Edinburgh
 - 7 - Public Entertainment Licensing: Application Fees
 - 9 - Work Programme
 - 10 - Composite Motion – Short Term Let Judicial Review
 - 13 - Short Term Lets – Referral from the Planning Committee
- 2) To otherwise note the remaining outstanding actions.

(Reference – Rolling Actions Log, submitted.)

5. Business Bulletin

The Regulatory Committee Business Bulletin for June 2024 was presented.

Decision

- 1) To note the business bulletin.
- 2) To consider what enforcement action may be possible in relation to private hire vehicles and taxis around Edinburgh Airport.
- 3) To confirm whether the animal boarding consultation also included cats.

(Reference – Business Bulletin, submitted.)

6. Short Term Let Licensing Policy – Review and Consultation

Approval was sought to proceed to public consultation on the existing short term lets licensing policy and conditions. If approved, a further report would be provided in the autumn for a decision on whether any changes were required.

Decision

- 1) To note the report.
- 2) To instruct officers to carry out a public consultation to review the existing short-term lets licensing policy and conditions framework.

(Reference – report by the Service Director – Sustainable Development, submitted.)

7. Food Health and Safety Business Plan 2024/25

The Food Health and Safety Business Plan was submitted for noting and oversight prior to it being made available to Food Standards Scotland.

Decision

To note the report and that the Business Plan would be submitted to Food Standards Scotland when requested.

(Reference – report by the Service Director – Sustainable Development, submitted.)

8. Age Limitation and Emissions Standards for Taxis and Private Hire Cars – Annual Update

The annual update on the implementation of the age and emissions policy for taxis and private hire cars was presented.

Decision

- 1) To note the report, which provided an update to a previous report to Committee in November 2022.
- 2) To note that 82% of taxis and 97% Private Hire Car were believed to comply with licensing conditions and the Age and Emissions policy.
- 3) To request officers to advise on options that might encourage better maintenance of older vehicles, in particular vehicles aged over 10 years, to ensure that they were in roadworthy condition when operated for hire.
- 4) To request the Hire Car Trade Working Group to bring forward proposals on Age and Emissions policy, for consideration at the December meeting of the committee, that further encouraged the transition to a zero emissions public hire fleet in the city.
- 5) To continue the temporary age policy extension to allow any Euro 6 and CVRAS retrofitted Euro 5 Taxi or PHC to be subject to a 14-year age limit to operate in the city until the committee received a further report on this matter. This age limit was subject to meeting normal conditions about roadworthiness and 6 monthly compliance tests from the vehicle's 10th anniversary. This would allow a vehicle to be submitted for test prior to the 14th anniversary of its registration for renewal of licence and can continue to operate until the expiry of that licence period.

(Reference – report by the Service Director – Sustainable Development, submitted.)

9. Licensing Training: Taxi and Private Hire Drivers

Committee was provided an update on Taxi and Private Hire Car ('PHC') Driver Training Foundation and Intermediate courses and makes proposals to address concerns where drivers have not completed training as required by the relevant licensing conditions.

Decision

- 1) To note the report which provided an update to a previous report to Committee in February 2023.
- 2) To agree the option set out in relation to non-attendance at training detailed in paragraph 4.17.1 of the report by the Service Director – Sustainable Development.
- 3) To agree that officers would carry out a review of fees as detailed in paragraph 6.3 of the report.
- 4) To note that the intermediate training for existing licensed taxi and PHC drivers started in November 2023.
- 5) To note that concerns had been raised about the cost and timing of, and access to, intermediate training for existing drivers.
- 6) To note that concerns had also been raised about certification given for intermediate training.
- 7) To note that Scottish Government Guidance recommended training for Licensed Drivers as best practice.
- 8) To reaffirm that the provision of training was a key priority for the Council and was necessary to drive up standards for all sectors of licensed drivers.
- 9) Given eight months of operation of the intermediate training course, officers were requested to review the course to consider:
 - i) whether any parts of the course could be provided at times and in ways that provide more choice and flexibility to participants to encourage attendance.
 - ii) whether certification could be enhanced for the course, for example, for the First Aid training.
- 10) To agree, in addition to paragraph 3 above, that the charges for training should be reviewed and set at levels that aim to, at a minimum, cover the relevant costs. Training costs and income should be identified and reported to committee, as part of the normal taxi and PHC licensing fees review, so that any adjustments to fees can be considered.
- 11) To agree to implement the option at 4.17.1 of the report, where drivers who failed to comply with mandatory training, consideration would be given to

granting a licence for a six-month period with a condition requiring them to complete the training by the end of that period.

(Reference – report by the Service Director – Sustainable Development, submitted.)

10. Landlord Registration Fees

In response to a motion by Councillor Mumford, information was presented on fees which could lawfully be collected in relation to the Landlord Registration system.

Decision

To note the report and discharge the action agreed by Council on 9 May 2024.

(Reference – Act of Council No. 28 of 9 May 2024; report by the Service Director – Sustainable Development, submitted.)

11. Motion By Councillor Graham - Black Cabs

The following motion was submitted by Councillor Ross was submitted in terms of Standing Order 17:

“Committee:

Notes that the black cab trade in the city is still recovering from COVID and are also managing their way through the introduction of the newly introduced low emissions zone (LEZ).

Understands some display the Hackney Carriage Drivers tour guide stickers which highlights to visitors they are knowledgeable ambassadors for the city.

Further understand that drivers make voluntary contributions to the city through the recently returned annual seaside trip for children and young people along with providing transport for veterans to remembrance services and collects toys for children in hospital.

Asks that a report is prepared for committee exploring the request to display the Association of Hackney Carriage Drivers of the City of Edinburgh stickers within Black Cab vehicles.

The report to also advise of any regulations on permitted displays in or on vehicles.”

Decision

To approve the motion by Councillor Graham.

Friday, 21st June, 2024