

Regulatory Committee

9.30am, Monday 17 May 2021

Present

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

1. Minutes

Decision

To approve the minute of the Regulatory Committee of 8 March 2021 as a correct record.

2. Rolling Actions Log

The Regulatory Committee Rolling Actions Log for May 2021 was submitted.

Decision

To agree to note the outstanding actions.

(Reference – Rolling Actions Log of 17 May 2021, submitted)

3. Business Bulletin

The Regulatory Committee Business Bulletin for May 2021 was submitted.

Decision

To note the Business Bulletin.

(Reference – Business Bulletin, submitted)

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

The Committee agreed to hear two deputations from the following organisations in relation to the report on the Age Limitation and Emissions Standards for Taxis and Private Hire Cars – Annual Update.

4.1 Deputation – City Cabs

The deputation highlighted the following issues:

- The expenses incurred by the taxi trade over recent years as a result in upgrading vehicles to comply with the age limitation and emissions standards

policy, the increase in number of private hire cars and the costs of the Covid019 pandemic.

- That around 100 taxi operators/drivers had so far converted their vehicles to LPG and that there was concern over the supply of fuel which the trade was engaging to resolve.
- The LPG conversion was a good option for many drivers including those who could not afford or for whom it would not be viable to purchase a new vehicle to comply with the new standards.
- That LPG conversions could make vehicles reach Euro 6 standard emissions requirements and had been tested and approved by Transport Scotland.
- Some other local authorities had approved conversions to assist in reaching their goals in relation to emissions and climate change.

A written submission had also been circulated in advance of the meeting which members took into consideration.

The deputation requested that the Committee consider LPG conversions as an alternative option for taxi operators for complying with the new age and emissions policy.

4.2 Deputation – Edinburgh City Private Hire and Seven Sevens Cars

The deputation highlighted the following issues:

- Where responsibility lay within the Council for implementing low emission zones (LEZs) and which Committee had oversight of this.
- The importance of consultation being carried out with both the taxi and private hire trades as part of the development of LEZs.
- The private hire trade fleet already included a number of electric vehicles and this was likely to increase over the next few years.

The deputation asked that officers responded to the issues raised.

4.3 Report by the Executive Director of Place

An annual update was provided on the taxi and private hire cars age limitation and emissions standards policy, as requested when the policy was introduced in March 2018. The report provided the Committee with an update on the implementation of the policy.

Decision

- 1) To note the contents of the report and agree that no further amendments to the policy would be made at this time.
- 2) To note the amendments made by the Committee on 2 November 2020 to the implementation dates of the Age and Emissions policy.
- 3) Given changes:
 - i. in regulations, recent and intended; and
 - ii. in the technical specification of the supply of low emission vehicles, including retrofit options,

instructs a report, as soon as reasonably practicable, assessing such changes and providing options for incorporating beneficial changes which may impact on age limit and Euro 6 in the City of Edinburgh Council standards and licensing regime.

(Reference – Regulatory Committee of 16 March 2018 (item 2), report by the Executive Director of Place, submitted)

5. Motion by Councillor Barrie – Street Occupation, Trading, Licenses and Permits

5.1 Deputation – Mercat Tours

The Committee agreed to hear a deputation from Mercat Tours in relation to the motion submitted by Councillor Barrie.

The deputation highlighted the following issues:

- Operating costs for companies such as Mercat Tours which provided walking tours in the city had increased over recent years while support decreased.
- That the company had chosen to apply for a street traders' licence, sign up to the scheme to help protect and maintain cemeteries and support the Council in its aims to de-clutter streets to aid accessibility, in order to remain a responsible and ethical company.
- This had caused damage to the business which no longer had any visible on-street presence.
- Competitors in the area could choose not to be licensed or registered while providing similar services as there was no obligation to apply for a street traders' licence.
- The inconsistent approach to the support provided by the Council as a result of the Covid-19 pandemic, for example hospitality businesses being allowed to use streets for tables and chairs but there was no equivalent for walking tours.
- Walking tours promoted active, low-carbon activities in the city.

The deputation asked that the Council do more to support walking tour companies.

A written submission had also been circulated in advance of the meeting which members took into consideration.

5.2 Motion by Councillor Barrie

The following motion by Councillor Barrie was submitted in terms of Interim Standing Order 32.1:

“Committee will be aware of question 18 at Council on 29 April 2021 and the response provided:

‘Question (1) What support is being made available by CEC to walking tours to ‘get businesses back on their feet’ and will their licensing fees be similarly waived or discounted?’

Answer (1) The majority of walking tours do not require a license under the current provisions of the relevant licensing legislation, as either payment is made on-line or the

tour is free of charge and relies on tips. Walking tours are encouraged to engage with and participate in the Forever Edinburgh recovery campaign. They have also had access to similar financial support as other businesses, in particular the discretionary fund in the event that they were ineligible for the Visit Scotland tour guide fund. If walking tours can evidence income drop as an eligible business, they would also have been eligible for discretionary support funding. We are aware some walking tour guide guides qualified for the tour guide support, which was administered by Visit Scotland, businesses which received this funding would have been ineligible for additional payments through the discretionary support.

Question (2) Will Council consider favourably allowing walking tours to apply for Outdoor Area Occupation Permits to allow them on street visibility to aid their business recovery?

Answer (2) While the Council is taking all possible means to support business recovery, Outdoor Area Occupation Permits are specifically for businesses who want to provide tables and chairs on the pavement and therefore could not be used for the purpose of increasing on-street visibility.'

Committee will be aware that the discretionary financial support described in answer (1) was very likely available to the licensed premises that have had their outdoor area occupation permits waived by Council.

Answer (2) suggests that 'Council is taking all possible means to support business recovery.'

In support of 'all possible means' Committee calls for an urgent report, within one cycle, to consider what further steps could be taken regarding permits costs, eligibility of businesses not necessarily seeking to use table and chairs as part of business recovery, to apply for and use suitable Outdoor Areas in the city and whether such permits would be chargeable. This report should include consideration of conditions and costs applied to market traders, street traders and outdoor space occupancy with a view to considering what amendments might take place to assist companies and organisations in their post Corvid recovery and beyond.

Should beneficial measures be identified prior to the next Regulatory Committee that takes place on 23 August 2021, consideration should be given to see if they can be implemented if agreement can be reached with Group Spokespersons."

Decision

To approve the motion by Councillor Barrie.

(Reference – Act of Council No. 20 of 29 April 2021)