

Rolling Actions Log

Regulatory Committee

21 June 2024

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
1	01.05.24	Licensing Policy Development - Street Trading Update	1) To agree to consult on the current trading policy with emphasis on the issues identified in paragraph 4.2 of the report by the Executive Director of Place.	Executive Director of Place	December 2023		Closed October 2023 Consultation now live.
			2) To note that a further report would be submitted to Committee.		Feb 2024		Member officer working group to be set up as a result of report
2	01.05.2023	Motion by Councillor Ross – Hire Trade Age Policy	1) 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	Executive Director of Place	June 2024		Recommended for closure Annual report submitted for committee

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			report to committee in four cycles.				consideration on 21.06.2024
			2) 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.		July 2023	July 2023	Closed October 2023 Letter to the Scottish Government sent July 2023.
3	07.08.2023	Short-term Lets Licensing Scheme – Update	1) To discharge the actions arising from the motions agreed by the Council on 22 June 2023 and by this Committee on 6 February 2023 and agree to refer this report to the Planning Committee for noting.	Executive Director of Place	August 2023	September 2023	Closed October 2023 Report referred to Planning Committee on 13 September 2023.
			2) To circulate a briefing to members setting out further detail about how compliance and enforcement will be managed, and in particular		October 2023	October 2023	Closed October 2023 A report was included on the agenda for

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			how members of the public may report suspected unlicensed STLs and whether, and in what circumstances, the council would consider proactive enforcement.				committee on 2 October 2023.
			3) To circulate a briefing note to all elected members summarising the current scheme with reference to the report by the Executive Director of Place.		December 2023	October 2023	Closed October 2023 Date needed for circulation to members
			4) To provide communication on temporary licences to residents in buildings which contain secondary lettings,		June 2024		Report submitted to committee to begin review of STL Licensing Scheme on 21.06.2024
			5) To provide communication to residents on temporary exemption requests.		June 2024		Report submitted to committee to begin review of STL Licensing Scheme on 21.06.2024

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4	07.08.2023	Additional Item – Regulatory Committee Work Programme	1)	To agree to receive a report within two cycles on the provision of clear guidance on objections to licence applications and renewals, covering what grounds might be considered as valid and not valid, a straightforward way to make complaints and estimated response timescales.	Executive Director of Place	December 2023	December 2023	Closed December 2023 Report considered.
			2)	To provide members with an update on the progression of the delivery of the CX contract following discussions with Civica.		August 2024		Civica to provide onsite demonstration expected July 2024.
			3)	To include an update in the future Work Programme on the progression of the Taxi Stance consultation.		August 2024		This has now been added to the work programme for Committee, with a date for reporting

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							back to be confirmed.
5	02.10.23	Business Bulletin	1) To request officers investigate why flat numbers for properties in tenements are not appearing on the short term lets licensing register.	Executive Director of Place	February 2024		Recommended for closure An update was provided in the business bulletin for committee in February 2024
6	02.10.23	Short Term Let Enforcement in Edinburgh	1) To agree to receive an annual enforcement report in 12 months outlining the number of complaints and related enforcement activity in relation to STL in Edinburgh	Executive Director of Place	Autumn 2024		This will be included in the follow up report on the STL Licensing Scheme in Autumn 2024
			2) To agree to review the approach to STLs in Edinburgh in 12 months, including the inspection fee structure.		Autumn 2024		This will be included in the follow up report on the STL Licensing Scheme in Autumn 2024

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			3) To request a briefing to members is given setting out further detail about how compliance and enforcement will be managed, and in particular how members of the public may report suspected unlicensed STLs and whether, and in what circumstances, the council would consider proactive enforcement.		December 2023	October 2023	Closed October 2023 A report was included on the agenda at the 02.10.23 meeting.
			4) To note that a further report will be presented within two cycles on points around the policy which were raised subsequent to the Judicial Review, and that the report will set out further details on the Council's approach to compliance and enforcement.		February 2024		Recommended for Closure Report considered at the February 2024 meeting

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			5) To request information on the number and types of posts being recruited for is circulated to Committee Members.		February 2024		Recommended for Closure Report considered at the February 2024 meeting
7	02.10.23	Public Entertainment Licensing: Application Fees	1) To agree a stakeholder consultation on these issues should be progressed, in advance of making any adjustment to the relevant application fees.	Executive Director of Place	April 2024		Recommended for Closure A report was included on the agenda on 5 March 2024.
			2) In relation to gala days, the form of consultation should be a short-term working group consisting of Council Licensing officers, Regulatory Committee spokespeople and representatives of community gala day committees.		2024		Recommended for Closure Consultation meeting took place on 13 November 2023 and 29 January 2024. A report was included on the agenda on 5 March 2024.

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			3) To circulate a list of what is included in amusement device licences.		February 2024	February 2024	A guidance document has been created to support organisers planning an event which highlights factors that organisers many need to consider when organising their event. It includes contact details for Council services and a checklist. Recommended for Closure
			4) To request dialogue with colleagues in Public Safety around reintroducing in-person inspections is continued.		February 2024		Recommended for Closure A report was included on the agenda on 5 March 2024.

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8	02.10.23	Criminal Records Checks for Taxi and private Hire Car Driver Licence Applicants Born or who have Resided Outwith the United Kingdom	To request engagement with organisations such as the Scottish Refugee Council to make citizens who have resided out with the United Kingdom aware of Apostille certificates.	Executive Director of Place	February 2024		Further work is required including the updating of an Equalities impact assessment. Likely that a further report will be required.
9	04.12.23	Work Programme	Food health and safety business plan' – ensure the report addresses previous outstanding items and points raised on the audit report discussed at GRBV.	Executive Director of Place	June 2024		Recommended for closure This is addressed in the FHS Business plan report on 21 June 2024.
10	14.12.23 (Council Meeting)	Composite Motion – Short Term Let Judicial Review	Extract of motion: Requests that a report come to Planning Committee in one cycle (excluding any special Planning Committees) detailing the implications of the Judicial Review and what outcomes this will have on Short Term Let Planning Policy and the	Executive Director of Place	February 2024 (after January Planning Committee)		Recommended for closure – report considered by planning committee on 31 January 2024 and referred to Regulatory Committee for

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			assessment of Short Term Let Planning applications, what implication this may have for the Council's Short Term Let Licensing Scheme, and potential amendments to the 'Guidance for Businesses' which comply with the judgement. This report should also be sent to the Regulatory Committee.				consideration on 5 February 2024.
11	14.12.23 (Council Meeting)	Motion by Councillor Rae - Short Term Lets Register – Publication of Applicants' Names	Therefore agrees that, in the interests of openness and transparency and to allow informed debate and reduce potential legal risks, to receive a report to the Regulatory Committee within two cycles to consider the implications of publishing the names of all applicants for STL licences and the best way to proceed.	Executive Director of Place	Autumn 2024		An update on this is included in the Short Term Lets review report on 21 June 2024.
12	05.02.24	Air Weapons and Licensing (Scotland) Act 2015 – Licensing	Further requests that a report is sent to the Policy and Sustainability Committee exploring actions to support	Executive Director of Place	TBC		

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		of Sexual Entertainment Venues	women considering other employment opportunities that are currently working within, or prospectively considering working within sexual entertainment venues. This report to include exploration of available services and communication of available support open to women working within SEVs, including through health agencies				
13	05.02.24	Short Term Lets – Referral from the Planning Committee	<p>Committee agrees to amend the Short Term Let Licensing policy as follows:</p> <p>4.2.d) change ‘proof’ to ‘can demonstrate’ so that it reads as follows:</p> <p>d. For secondary letting only, Planning permission under the Town and Country Planning (Scotland) Act 1997 (the 1997 Act) for the use of the premises as a STL; or</p>	Executive Director of Place			<p>Recommended for closure</p> <p>STL policy updated following Regulatory Committee on 5 February 2024.</p>

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			<p>proof that an application for planning permission has been made under the 1997 Act, which has not yet been determined; or can demonstrate that planning permission is not required (for example, a certificate of lawfulness).</p> <p>Change 4.10 so that it reads as follows:</p> <p>4.10) On 5 September 2022, the City of Edinburgh Council area became a designated STL control area. Therefore, due to the STL control area, across the entire the City of Edinburgh Council area mandatory condition 13 applies:</p> <p>‘13. Where the premises is in a short-term let control area for the purposes of section 26B of the Town</p>				

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			<p>and Country Planning (Scotland) Act 1997 ("the 1997 Act"), the holder of the licence must, where the use of the premises for a short-term let requires planning permission under the 1997 Act, ensure that either— (a) an application has been made for planning permission under the 1997 Act and has not yet been determined, or (b) planning permission under the 1997 Act is in force.'</p> <p>Therefore delete 4.11, renumber the remaining paragraphs and note paragraph 4.12 would therefore be new paragraph 4.11 and amend that as follows:</p> <p>4.11 For Secondary letting, it is expected that the host or operator must, when they apply</p>				

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			<p>for a licence, provide evidence that:</p> <ul style="list-style-type: none"> a. they have made an application for planning permission or b. they already have planning permission, or, alternatively, c. planning permission is not required (for example, a certificate of lawfulness or other satisfactory explanation of why planning permission is not required). 				
			<p>2) Committee requests that matters arising out of the Short Term Lets (STL) working group are detailed in the Business Bulletin and agrees that any matters requiring Committee decisions will be brought to the</p>	Executive Director of Place	June 2024		

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			Committee as part of the report following the 2024 summer review of STL licensing policy, so they are transparent and open to public scrutiny				
			3) To request that the training on STLs being arranged for Planning Committee members be extended to Regulatory Committee members.	Executive Director of Place			Planning Service will arrange in due course
14	05.02.24	Landlord Registration Update	Officers to liaise with the Scottish Landlord Registration Service to look at the possibility of searching the register by building (as opposed to single tenancy)	Executive Director of Place	Autumn 2024		Query outstanding with the Scottish Government's Local Government and Housing Directorate. Initial discussions indicate this approach is deliberate to prevent data sweeping from the

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							Scottish Landlord Register.
15	21.03.24 (Council Meeting)	Emergency Motion by Councillor Day – Fire on Breadalbane Street	To request a report to the next appropriate Regulatory Committee on the licensing of agents and factors who have not acted fairly in supporting their tenants in this situation.	Head of Regulatory Services	September 2024		