

Business bulletin

Regulatory Committee

9.30am, Monday, 8 March 2021

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

Regulatory Committee

Convenor:	Members:	Contact:
<p>Councillor Catherine Fullerton</p>  <p>Vice-Convenor Councillor Denis Dixon</p> 	<p>Councillor Scott Arthur Councillor Susan Rae Councillor Cameron Rose Councillor Donald Wilson Councillor Max Mitchell Councillor Neil Ross Councillor Derek Howie</p>	<p>Lesley Birrell Committee Services 0131 529 4240</p> <p>Andrew Mitchell Regulatory Services Manager 0131 529 4208</p>

Recent News	Background
<p>Taxi training - Driver Skills Development Programme: Foundation Course</p> <p>To date, the Licensing Service has run three courses with a total of 21 participants. Participants have included both taxi and Private Hire Car (PHC) drivers with varying degrees of experience. The courses have been well received and the feedback very positive:</p> <p><i>It was very helpful I really learn a lot I have been driving as a PHV for almost six years but I have to admit I was not familiar with lot of the things I see in the license condition thanks for introducing this course.</i></p> <p><i>It was a wonderful opportunity for me to have much more knowledge about the Taxi/PHC industry. I hope you'll continue to educate future applicants through this same medium for much more better service delivery</i></p> <p>The next course is scheduled to run from 2-4pm from Monday 22 to Thursday 25 March.</p>	<p>The Foundation Course for new taxi and PHC drivers was approved at Regulatory Committee on 2 November 2020.</p> <p>The online course comprises four two hour sessions followed by an assessment.</p> <p>The online format allows training to be delivered in real time and allows participants to learn in a safe and convenient setting. The course provides opportunities for all to participate in group tasks and discussions.</p>
<p>Taxi and PHC Grant Fund</p> <p>The fund opened on 25 January 2021 and to date City of Edinburgh have processed over 4,221 requests and paid out in excess of £6.33m.</p> <p>The fund is expected to close shortly but no date has been set for this by the Scottish Government.</p>	<p>The First Minister announced in November that the Scottish Government would introduce new measures to help taxi and private hire car drivers financially affected by the impact of coronavirus. A discretionary fund would enable local authorities to provide additional support for taxi/PHC drivers who are suffering a severe but indirect effect of the pandemic.</p> <p>Grants of £1,500 are open to all Edinburgh licensed taxi and PHC drivers who:</p> <ul style="list-style-type: none"> • Have been working or available to work as a taxi/PHC driver between 9 October to at least 31 January 2021, and • Have experienced loss of income up to 31 December

2020 (50% of turnover, compared with 2019)

Age and emissions

46 applications for variation to licence conditions are scheduled to be reviewed and assessed in line with the changes to policy made by the committee on 2 November 2020. All requests to date will have a decision by the end of March.

The table below gives an update on the number of applications for exemption to the policy which have been considered and resolved. The next 12 month update is due to be reported in May 2021.

Total Considered	Granted	Withdrawn	Refused	Continued
525	313	50	152	10
%	59.6%	9.5%	29.0%	1.9%

On 2 November 2020 the Regulatory Committee decided to make amendments to the Age and Emissions Policy for licensed vehicles.

Hire Car Fleet Research

The last full taxi demand survey was carried out and reported to the committee in 2017. A procurement process has been completed for a full taxi demand survey to be carried out, in addition to completing an assessment of demand for Private Hire Cars and the impact of the Age and Emissions Policy on the licensed fleet.

The procurement exercise was delayed due to the Pandemic.

The outcome of this procurement exercise was the subject of a report to the Finance and Resource Committee on 4 March 2021.

The Council has a policy of limiting the number of taxi licences issued within the City, using the powers available in the Civic Government (Scotland) Act 1982. This power can only be used if the Council is satisfied that there is no 'significant demand' for taxis which is unmet. The Council is required to keep this position under regular review, and as such consultants are procured to carry out full demand surveys every three years. Interim surveys are additionally procured and carried out every six months.

Short Term Lets update

On 18 February 2021, the Scottish Government withdrew the Civic Government (Scotland) Act 1982 (Licensing of Short Term Lets) Order 2021 from the Scottish Parliament. The Scottish Government's intention, subject to the outcome of the upcoming election, is to re-lay the draft legislation in June and keep to the timetable previously set out:

The Council has previously expressed strong concern about the impact of certain aspects of the short term letting industry on the city. The Council previously agreed a position calling for additional regulation of the sector, either through changes to

1 April 2022 – local authorities to implement and open a licensing scheme;

1 April 2023 – all existing hosts to have made an application for a licence; and

1 April 2024 – all hosts providing short term let accommodation in Edinburgh to be licensed.

Officers will continue to monitor the progress of the legislation through the relevant parliamentary stages and to continue with the preparatory work required to ensure that a licensing system is implemented at the earliest opportunity.

planning classifications or the introduction of a licensing system. To achieve the objective of additional regulation, the Scottish Government would be required to take action to introduce legislation.

As short term letting has no current statutory definition, the Council's existing enforcement powers are limited. The most recent research indicates that there have been over 14,000 properties operating in this manner. The operation of short term lets is having a significant effect on a wide range of areas including supply of housing, anti-social behaviour and the hollowing out of some communities.

Sexual Entertainment Venues update

On 18 January 2021, the Regulatory Committee agreed that a second round of consultation would be carried out on a draft Sexual Entertainment Venues (SEV) licensing policy and conditions. The consultation will be launched this month and will run for 12 weeks. The consultation seeks views from members of the public and any other interested parties on the location and number of SEV premises within the city, in addition to asking for comments on the draft policy and conditions framework. A further report with analysis of the results of the consultation will be brought back to Committee later this year.

On 21 March 2019 a commencement order was laid before the Scottish Parliament which provides local authorities with the powers to introduce a discretionary licensing regime for Sexual Entertainment Venues (SEVs).

A SEV is defined as a premises where sexual entertainment is performed live, for the direct or indirect financial benefit of the organiser and for the sole purpose of sexual stimulation of members of the audience.

Forthcoming activities:
