

Regulatory Committee

1.15pm, Monday 8 January 2018

Present

Councillors Fullerton (Convener), Arthur, Barrie, Burgess, Howie (substitute for Councillor Dixon), Rose, Neil Ross, Smith and Wilson.

1. Minutes

Decision

To approve the minute of the Regulatory Committee of 24 October 2017 as a correct record.

2. Rolling Actions Programme

The Regulatory Committee Rolling Actions Programme for the period 3 May 2013 to 8 January 2018 was presented.

Decision

To note the Rolling Actions Programme.

(References – Regulatory Committee Rolling Actions Programme, submitted)

3. Taxi Examination Centre – Performance Update

Details were provided on pass and failure rates in respect of vehicle inspections which form part of the application process for taxi and private hire car licences and renewals.

Decision

- 1) To note the content of this report;
- 2) To note the measures outlined in paragraphs 3.8 to 3.16 of the report by the Executive Director of Place; and
- 3) The Executive Director of Place to consult with the trade on these and report back to the Committee in one cycle.

(Reference – Regulatory Committees 24 June 2016 (item 6) and 17 February 2017 (item 4); report by the Executive Director of Place, submitted)

4. Policy and Code of Conduct on Public Processions Update

On 1 February 2016 the Regulatory Committee agreed to consult widely on the proposed Policy and Code of Conduct on Public Processions in line with statutory requirements.

Details of the responses received to the consultation were provided and the Committee was requested to adopt the Policy and Code of Conduct on Public Processions.

Decision

- 1) To note the content of the report;
- 2) To adopt the Policy and Code of Conduct on Public Processions with amendments listed in paragraphs 3.12.1 to 3.12.4 of the report by the Executive Director of Place; and
- 3) To agree that the use of the High Street for a parade or procession required additional scrutiny and would continue to be referred for consideration to the Licensing Sub Committee.

(Reference – Regulatory Committee 1 February 2016 (item 4); report by the Executive Director of Place, submitted)

5. Licensing Customer Survey 2017

In order to understand service users' views, and assess levels of customer satisfaction, customer research was carried out on an annual basis.

The results of the 2017 survey were provided, in which the majority of areas surveyed showed slightly lower scores when compared with the 2016 research.

Decision

- 1) To note this report and approves the action plan at Appendix 2; and
- 2) To agree to receive a further report in 12 months with an update on progress against the actions agreed and details of the 2018 survey.

(Reference – Regulatory Committee 21 November 2016 (item 11); report by the Executive Director of Place, submitted)

6. Licensing Performance Update

A performance framework was agreed for the Licensing Service at the Regulatory Committee's meeting in February 2015.

Details were provided on the performance of the Licensing Service for the period February 2017 to January 2018.

Decision

- 1) To note the report;
- 2) To note the progress to date against agreed performance targets; and
- 3) The Executive Director of Place to submit an update report in six months.

(Reference – Regulatory Committee 1 February 2016 (item 5); 17 November 2015 (item 4); 24 June 2016 (item 5); 17 February 2017 (item 5); report by Executive Director of Place, submitted)

7. Background Checks Taxi and PHC Licences - Motion by Councillor Burgess

The following motion by Burgess was submitted in terms of Standing Order 16:

“Committee

Understands that there are a very small number of Edinburgh taxi/private hire car drivers, although born outside the UK, who have lived in the UK for a considerable length of time and held a taxi/PHC driver licence without blemish, but whose country of origin will not provide them with a criminal background check;

Recognises that under requirements recently introduced by this committee applications for licence renewal by these drivers would be deemed incomplete and their licenses would therefore lapse and their long-standing means of livelihood would be terminated;

Believes that this consequence runs counter to natural justice and could be deemed as discriminatory and therefore agrees that only in the case of drivers who;

- a) have been granted leave to remain in the UK or have had UK citizenship for 10 years or more AND
- b) have held a taxi/PHC driver licence for 5 years or more AND
- c) whose country of origin is known to be refusing to provide criminal background checks,

that their applications for licence renewal will be considered complete without such a check;

Agrees to amend the application requirements as necessary to bring this into effect.”

- moved by Councillor Burgess, seconded by Councillor Neil Ross

Decision

- 1) To approve the principle of the motion.
- 2) To continue consideration of the matter to a meeting of the Regulatory Committee on 6th February 2018 for a report by the Executive Director of Place on changes to the wording of the policy to accommodate the proposed changes to the policy.