

# Minute of Meeting



## General Purposes Committee

Date	Time	Venue
30 August 2022	10.00 pm	Virtual via MS Teams

### Present:

Councillor Virgo (Chair)	Councillor Alexander
Councillor Bowen	Councillor Drummond
Councillor Imrie	Councillor McKenzie
Councillor McEwan	Councillor Parry
Councillor Milligan	Councillor Russell
Councillor Pottinger	
Councillor Winchester	

### In attendance:

Alan Turpie, Legal and Governance Manager / Monitoring Officer
Inspector Marc Copland, Police Scotland
Moirra Cartwright, Manager Public Health & Environmental Protection
Janet Ritchie, Democratic Services Officer
Ross Neill, Democratic Services Team Leader

## 1. Welcome and apologies

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Councillor Virgo welcomed all to the meeting

An apology for absence was intimated on behalf of Councillors Scott and McCall.

## 2. Order of Business

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The order of business was as set out on the agenda other than it was agreed to re-arrange the order allowing item 5.2 to be heard before item 5.1

## 3. Declarations of interest

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Declarations of interest were submitted by Councillor Curran in relation to items 5.1 and 6.1 and he confirmed that he would recuse himself for both. Councillor McKenzie also noted for transparency his knowledge of item 5.1 through discussions at his surgery but he did not consider this sufficient to require him to declare an interest.

## 4. Minute of Previous Meeting

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The Minute of Meeting of 7 June 2022 was submitted was unanimously approved as a correct record.

## 5. Public Reports

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Item 5.2 heard as agreed ahead of item 5.1

No.	Report	Presented by
5.2	Draft Short-Terms Let Licensing Policy - Report	Team Manager Public Health and Environmental Protection
<b>Outline of report and summary of discussion</b>		
<p>The report provides details of the attached Draft Short-term Let Licensing Policy for Midlothian Council. It provides members with information on the new powers which have been given to local authorities to regulate short term lets in the form of a licensing scheme. It also sets out the timeline for the implementation of those powers following a period of public consultation and final adoption of the Policy.</p> <p>It is recommended that the Committee:</p> <ul style="list-style-type: none"><li>• Note the terms of this report; and</li><li>• Consider instructing the Chief Officer Place to carry out a public consultation on the draft Short Term Let policy as detailed in Appendix C.</li></ul> <p>Ms Cartwright presented the report noting the legislation passed by the Scottish Government, she noted and highlighted various aspects including</p>		

That short term lets must be balanced with community needs. She described the various types of lets covered by the legislation including home sharing and short term lets.

From the 1<sup>st</sup> of October 2022 Midlothian Council must be ready to consider applications of this nature.

By 1<sup>st</sup> April 2023, anyone currently operating short term lets must have applied for a licence under the new law.

Certain checks will be the responsibility of the Local Authority such as the person letting must be fit and proper, the property must also be adequate for its purpose. Planning permission must also be sought to operate this type of let under the new legislation.

Additional concerns relating to Anti-Social Behaviour will also be taken into consideration and will be monitored.

If there are any breaches of these conditions the license can be suspended.

Fees outlined are consistent with Scottish Government Policy and will be reviewed annually, the policy itself will be reviewed every 3 years.

Responding to various questions from Members Ms Cartwright answered them in turn.

- Costs involved in apply for a licence are non-refundable
- Midlothian fees are slightly below average when compared to other Local Authorities throughout Scotland
- Humanitarian homes sharing etc. are exempt as are hotels & shops.
- Currently via internet checks on Air-BnB and other provider websites Midlothian appears to have 152 currently active short term lets. The team will continue to monitor short term let activity via these sites.
- Short term lets are different from standard lets that require Landlord Registration, a typical let of this nature is a few days to a few months and are markedly more expensive than long term arrangements.
- Public will be able to view the register

Moved by Councillor Cassidy  
Seconded by Councillor Bowen

All recommendations approved Unanimously

### Decision

Agreed to note the report and authorise the Chief Officer Place to put the draft policy out to public consultation

### Action

Environmental Health

Councillor Curran excused himself 10.22 am and took no further part in the meeting.

No.	Report	Presented by
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5.1	Taxis and Private Hire Cars, Review of Tariffs Report	Legal and Governance Manager
<b>Outline of report and summary of discussion</b>		
<p>The purpose of this report is to advise Members of the outcome of the public consultation on the proposed amendments to the maximum tariffs which may be charged and to request the Committee to determine whether to put the new tariffs into effect.</p> <p>The Committee is asked to determine whether to increase the amended tariff levels for taxis and private hire cars with fitted taxi meters as detailed in Appendix C.</p> <p>Mr Turpie spoke to the report concerning the consultation and the proposed consideration of an increase in tariffs that were last increased in 2016. He added that operating costs for this industry have increased considerably in the last few years.</p> <p>There was a debate amongst Councillors whether or not during the current Cost of Living Crisis an increase would be prudent. Members were also aware that this industry and the other sectors of the leisure industry need to make a living. It was also noted that Midlothian Council uses taxis for school children and in some areas there is limited access to bus services leaving taxis and private hire cars the only alternative.</p> <p>Mr Turpie responded to questions concerning provision within Midlothian that registered taxi operators are down from the usual numbers of 48 to 45, there were no figures for private hire at this time.</p> <p>Members felt the new tariff should be approved with a further review in 6 months.</p> <p>Report was moved by Councillor Smaill Seconded by Councillor McKenzie</p> <p>Report and new tariff unanimously agreed</p>		
<b>Decision</b>		
Agreed		
<b>Action</b>		
Tariff Review Report in approximately 6 Months – Legal and Governance Manager		

Public Meeting concluded at 10.39 am

### **Exclusion of Members of the Public**

**In view of the nature of the business to be transacted, the Committee agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraphs 3, 6 and 14 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-**

## 6.1 Renewal of Taxi Driver's Licence – J Waite