

PUBLIC PROTECTION COMMITTEE

10 MAY 2011

Present: County Councillor Bridges (Chairperson);  
County Councillors Cox Ali, Goddard, Grant,  
Griffiths, Derrick Morgan, Elgan Morgan and Singh

Apology: County Councillor Smith

PP137 : MINUTES

The minutes of the meeting held on 5 April 2011 were approved by the Committee as a correct record and signed by the Chairperson.

PP138 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

RESOLVED – That the following matters be dealt with as indicated:

(1) K McAdam – Jaguar XJ Sovereign

Deferred as the applicant failed to attend.

(2) M Takata – Mercedes Vito 109 Registration No. DG54 VGP

Application to have the Mercedes Vito 109 Registration No. DG54 VGP approved as a prestige vehicle with a 10 year age restriction granted.

(3) K Evans – Rover 600 Registration No. V397 JAE

Application to extend the licensing period of Rover 600 Registration No. V397 JAE refused.

(4) M Iqbal – Ford Galaxy Registration No. Y694 MBL

Application to extend the licensing period of Ford Galaxy Registration No. Y694 MBL granted.

(5) J Rehman – TX1 Registration No. R338 YON

Application to extend the licensing period of TX1 Registration No. R338 YON refused.

- (6) Y Ibrahim – TX1 Registration No. R636 EDB

Application to extend the licensing period of TX1 Registration No. R636 EDB refused.

- (7) M Afzal – Volkswagon Passat Registration No. Y426 RJM

Registration No. Y426 RJM granted.

- (8) M Afzal – Vauxhall Omega Registration No. DU51 SXX

Deferred as the applicant did not attend.

- (9) F Ali – Peugeot Expert Registration No. X672 JNS

Application to extend the licensing period of Peugeot Expert Registration No. X672 JNS for a further period granted.

#### PP139 : APPLICATION FOR THE LICENSING OF AN ADDITIONAL FRONT SEAT IN A PEUGEOT EUROBUS

The Committee was advised that an application had been received from Mr J Singh for approval of an additional front seat in the Peugeot Eurobus, increasing the licensed seat number from seven to eight. At present Cardiff Council's Taxi Licensing Policy Statement prohibits more than one passenger in the front seat of minibus/MPV style vehicles.

In April 2002 the Licensing & Public Protection Committee concluded that in calculating passenger capacity only one seat in the front row should be utilised for the conveyance of members of the public, so as to ensure the safety and comfort of the public and the driver. Members were advised that having an additional seat in the front of the vehicle would put passengers in close proximity to the driver, presenting safety risks for the driver.

Mr Singh addressed the Committee and drew attention to the fact that Bridgend, Swansea and the Vale of Glamorgan Councils allow two front seats to be used in minibus/MPV style vehicles.

RESOLVED – That the application to allow an additional seat in the front of a minibus/MPV style vehicle be refused.

PP140 : APPLICATION FOR A HACKNEY CARRIAGE FARE  
INCREASE MAY 2011

On 8 April 2011 an application for a fare increase was submitted by Cardiff Hackney Association (CHA). A subsequent application was also received on 11 April 2011 from the Union of Taxi Drivers (UTD) for the same rate. Members received a report providing details of the requested increases to enable the application to be determined. Members were advised that an application for a fare increase was rejected by the Committee at its meeting on 8 February 2011.

Both applications proposed an increase of 4.89%. In support of the application the HCA and UTD made the following points:

- Fares have not increased since December 2008.
- Since December 2008 there have been substantial cost increases, mainly arising from increased fuel costs, VAT and inflation.

As a result of the consultation process proposed amendments to the application for the fare increase were received from Dragon Taxis on 19 April 2011. The report contained details of those amendments proposed by Dragon Taxis, which would, if accepted, result in a fare increase from 1 September 2011.

Mr Gareth Thomas of Dragon Taxis addressed the Committee Mr Thomas explained his proposed amendments to the HCA and UTD applications. The amendments included a reduction in the Christmas tariff from £5 to £3 and an increase in the cost of an additional passenger in larger vehicles.

RESOLVED – That

- (1) the application for an increase in the taxicab rate of fare as amended by Dragon Taxis be approved;
- (2) the Committee authorises the advertisement of the variation in a local newspaper requesting representations on the proposed amendments..

PP141 : AUTHORISATION OF OFFICERS AND DELEGATIONS

As a result of restructuring of the Service area and to ensure that Officers have the appropriate formal authorisation to act on the Council's behalf, the Committee was requested to consider delegating the appropriate powers to Officers.

A schedule of the legislation the Public Protection Committee is responsible for was attached to the report. Following the establishment of Regulatory and Supporting Services there is a need to update and consolidate all Officer authorisations and delegations. It was also proposed that responsibility for authorising Officers to administer the legislation contained in Schedule 1 to the report, be delegated to the Head of Regulation and Support Services.

It was further proposed that the Operational Managers for Licensing and Trading Standards, Pollution Control and Public Protection and Private Sector Housing, where appropriate, be authorised to issue notices and orders; to grant or refuse consent; to issue legal proceedings; to implement the relevant provisions in respect of offences or other requirements; to give effect to applications; and to arrange for the execution of works pursuant to any of the rules, regulations and/or orders made there under (or any replacement or re-enactment thereof) identified in Schedule 1.

RESOLVED – That

- (1) the Committee authorises the Head of Regulatory and Supporting Services to act and to authorise appropriately qualified staff to act on the Council's behalf under each of the enactments listed in Schedule 1 and any relevant future enactments determined to be the responsibility of the Public Protection Committee. Such Officer authorisations be for the purposes of meeting the requirements of the legislation and to enable entry onto premises, inspection, sampling, recovering of evidence and any other related operational purposes;
- (2) authorises the Head of Regulatory and Support Services to institute any necessary legal proceedings in respect of each of the enactments listed in Schedule 1 and any relevant future enactments determined to be the responsibility of the Public Protection Committee;
- (3) authorises the Operational Manager (Licensing and Trading

Standards), Operational Manager (Public Protection and Private Sector Housing) and the Operational Manager (Pollution Control) to deal with all relevant matters in connection with the legislation detailed in Schedule 1 and any relevant future enactments determined to be the responsibility of the Public Protection Committee;

- (4) in the absence of the Head of Regulatory and Supporting Services the Officers identified in (3) above be approved to exercise the delegation list in (2) above.

#### PP142 : OLYMPIC REGULATIONS ON ADVERTISING ACTIVITY AND TRADING

On 7 March 2011 the Department of Culture, Media and Sport issued a consultation document entitled “Regulation on Advertising Activity and Trading around London 2012” which sought views on the regulations to be made to cover advertising and trading activity around Olympic 2012 events. The Millennium Stadium is to host football events and the regulations will, therefore, have effect in Cardiff.

The Committee was advised that events at the Millennium Stadium would be grouped into three “event periods”, namely:

- 24 July to 28 July 2012
- 30 July to 4 August 2012
- 9 August to 10 August 2012

A plan of the event zone was attached to the report.

Members received a report providing full details of the consultation document and the proposed regulations. Officers advised that responses to the consultation were to be made by 30 May 2012. The final regulations will be subject to National Assembly for Wales approval.

RESOLVED – That the report be noted.

#### PP143 : SKIN PIERCING REGISTRATIONS

The Committee noted the following applications agreed in accordance with the Chief Officer’s delegated authority:

- (1) Mr J R Rozell – Rumney Hill Tattoos, 830 Newport Road, Rumney Cardiff.  
  
Grant of Skin Piercing Premises and Personal Registrations.
- (2) Mr S Hart – Skin Ticket Tattoos, 124 Crwys Road, Cathays, Cardiff  
  
Grant of Skin Piercing Premises Registrations.
- (3) Mr D Walters – Physical Graffiti, City Road, Plasnewydd, Cardiff  
  
Grant of Skin Piercing Personal Registrations.
- (4) Miss M King – 88 Whitchurch Road, Gabalfa, Cardiff  
  
Grant of Skin Piercing Personal Registrations.

**PP144 : SCRAP METAL DEALERS REGISTRATIONS**

The Committee noted the following applications agreed in accordance with Chief Officers Delegated Authority.

- (1) Dr P Sunman – 10 Boleyn Walk, Plasnewydd, Cardiff  
  
Scrap Metal Dealers Registration renewed.
- (2) Mr A Ghaffar – Cardiff Metal Merchants, 60 Woodville Road, Cathays, Cardiff  
  
Scrap Metal Dealers Registration renewed.
- (3) Leafybug International – Priority Business Park, Trade Street, Butetown, Cardiff  
  
Scrap Metal Dealers Registration granted.

**PP145 : STREET AND HOUSE TO HOUSE COLLECTION LICENCE APPLICATIONS**

**RESOLVED** – That the following applications be dealt with as indicated:

- (1) Ms M Jones – Sherman Cymru

Application for the grant of a Street Collection Permit to collect in the Cardiff Bay area on Sunday 17 July 2011 on behalf of Sherman Cymru granted.

- (2) Miss K Preece – Kids N Cancer

Application for the grant of a House to House Collection Permit to collect in the City between 1 June 2011 until 30 May 2012 on behalf of Kids N Cancer granted.

- (3) 2Lt J Brown – Mercy Ships

Application for the grant of a Street Collection Permit to collect in the City Centre on a date to be arranged on behalf of Mercy Ships granted.

#### PP146 : STREET AND HOUSE TO HOUSE COLLECTION PERMIT APPLICATIONS

The Committee noted the following applications agreed in accordance with the Chief Officer's delegated authority.

- (1) Mr A Gibbs – Help for Heroes

Application for a Street Collection Permit and House to House Collection Permit granted to collect in the whole of the City on Sunday 28 August 2011 and Monday 29 August 2011 on behalf of Help for Heroes.

- (2) Mrs R L Owens – The Joshua Foundation

Application for a House to House Collection Permit granted to collect in the City Centre and the Bay area on Saturday 29 April 2011 on behalf of The Joshua Foundation.

- (3) Ms V Champ – Meningitis UK

Application for a Street Collection Permit granted to collect in the

City Centre on Saturday 5 November 2011 on behalf of Meningitis UK.

- (4) Mrs K Aslett – Whizz Kidz

Application for a Street Collection Permit granted to collect in the City Centre on Saturday 8 October 2011 on behalf of Whizz Kidz.

- (5) Miss L Edwards – RSPB

Application for a Street Collection Permit granted to collect in the Museum Avenue/City Hall Lawns area of the City between Friday 1 April 2011 and Wednesday 31 August 2011 on behalf of RSPB.

- (6) Miss E Blythe – Oxfam (Cymru)

Application for a Street Collection Permit granted to collect in the whole of the City on Wednesday 20 April 2011 on behalf of Oxfam (Cymru).

- (7) Miss Z Padfield – Link Community Development

Application for a Street Collection Permit granted to collect in the City Centre on Wednesday 11 May 2011 on behalf of Link Community Development.

#### PP147 : EXCLUSION OF THE PUBLIC

RESOLVED – That the public be excluded for the following items of business on the grounds that if members of the public were present during the discussions, because of the nature of the business to be transacted, there would be a disclosure to them of exempt information as defined in Section 100(1) of the Local Government Act 1972 and Categories 1 and 3 of the Local Authorities (accessing to information) (variation) (Wales) Order 2007 as described below;

“Information relating to the business affairs of any particular person (other than the Authority)”.



PP148 : HACKNEY CARRIAGE/PRIVATE HIRE APPLICATIONS

RESOLVED – That the following applications be dealt with as indicated:

(1) M Y Abyan

Three penalty points imposed for deception and three penalty points imposed for harassment of a member of the public.

(2) M Younis

Four penalty points imposed for abuse of a member of the public.

(3) P OHara

Application for the renewal of a Hackney Carriage/Private Hire Drivers Licence approved.

(4) J Jones

Three penalty points imposed for a bald tyre and three penalty points imposed for criminal damage.

(5) T Z Khan

Four penalty points imposed for having no insurance.

(6) A H Ullah

No further action.

(7) A Narwaz

Two penalty points imposed for having a defective tyre.

(8) P W Highgate

Two penalty points imposed for not having a first aid kit and two penalty points imposed for not having a fire extinguisher.

(9) M Khan

Two penalty points imposed for having a bald tyre.

(10) J B Lenahan

Two penalty points imposed for not having a first aid kit and two penalty points imposed for not having a fire extinguisher.

*(County Councillor Bridges declared an interest in the following item under the Members' Code of Conduct as the applicant was known to him. Councillor Bridges withdrew from the meeting and took no part in the debate or the decision)*

(11) B Thompson

Four penalty points imposed for having two defective tyres.

(12) M A Ward

Application for the grant of a Hackney Carriage/Private Hire Drivers Licence granted.

(13) B K Kalfas

Application for the grant of a Hackney Carriage/Private Hire Drivers Licence granted.

(14) M Z Alam

Application for the grant of a Hackney Carriage/Private Hire Drivers Licence granted.

(15) M Z Khan

Application for the grant of a Hackney Carriage/Private Hire Drivers Licence granted.

(16) A Yassien

Application for the grant of a Hackney Carriage/Private Hire

Drivers Licence refused.

PP149 : LEGAL PROCEEDINGS AND ENFORCEMENT ACTIONS

The Committee noted the legal proceedings and enforcement actions that had taken place during the period.

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Chairperson