



County Hall  
Cardiff  
CF10 4UW  
Tel: (029) 2087 2000  
  
Neuadd y Sir  
Caerdydd  
CF10 4UW  
Ffôn: (029) 2087 2000

## AGENDA

<b>Committee</b>	PUBLIC PROTECTION COMMITTEE
<b>Date and Time of Meeting</b>	TUESDAY, 12 JANUARY 2016, 10.30 AM
<b>Venue</b>	COMMITTEE ROOM 1 - COUNTY HALL
<b>Membership</b>	Councillor Parry (Chair) Councillors Manzoor Ahmed, Boyle, Bridges, Goddard, Hudson, Kelloway, Morgan, Murphy, Simmons and Walsh

### 1 **Apologies for Absence**

To receive apologies for absence.

### 2 **Declarations of Interest**

To be made at the commencement of the agenda item in question, in accordance with the Members' Code of Conduct.

### 3 **Minutes** (Pages 1 - 8)

To approve as a correct record the minutes of the meeting held on 6 October 2015 and the Sub Committee meetings of 6 October, 3 November and 1 December 2015.

### 4 **Hackney Carriage/Private Hire Matters** (Pages 9 - 10)

### 5 **Application for the Citroen Berlingo to be Approved as a Type of Vehicle Suitable for Use as a Purpose Built Hackney Carriage in Cardiff** (Pages 11 - 20)

**Marie Rosenthal**  
**Director Governance and Legal Services**

Date: Wednesday, 6 January 2016

Contact: Graham Porter, 029 2087 3401, g.porter@cardiff.gov.uk



## PUBLIC PROTECTION COMMITTEE

6 OCTOBER 2015

Present: County Councillor Parry(Chairperson)  
County Councillors Boyle, Bridges, Kelloway, Morgan, Murphy,  
Phillips and Walsh

## 18 Apologies for Absence

Apologies for absence were received from Councillors Manzoor Ahmed, Goddard, Hudson and Simmons.

## 19 Declarations of Interest

No declarations of interest were received.

## 20 Minutes

The minutes of the meeting held on 8 September 2015 were approved by the Committee as a correct record and were signed by the Chairperson.

## 21 Sex Establishment Licence - Renewal Application - Lovecraft

The Committee received a report regarding an application for the renewal of a sex establishment licence. Members were advised that the renewal application was received on 18 August 2015. As part of the statutory consultation period a notice was displayed at the premises and advertised in the South Wales Echo. During the consultation period one objection was received. The objection was appended to the report.

The Committee received representations from Mrs Anne Harrison. Mrs Harrison stated that the basis of her objections was set out in her letter, insofar as the premises were located in a busy commercial area. Mrs Harrison considered that members of the public were more than aware of the articles on sale in the establishment and therefore the shop window display was not necessary. Members were asked to note that the shop window display at a sex establishment premises in Mill Lane were blanked out.

The Committee was asked to determine the application. Members discussed the merits of the application and the representation received. The Committee did not consider that the shop window display to be offensive. Similar displays can be found in the windows of nationally recognisable 'high street' stores in the City Centre.

RESOLVED – That the application for the renewal of the sex establishment licence in respect of Lovecraft, 80 Cowbridge Road East, Cardiff, be approved.

## 22 Designation of Streets for the Purpose of Street Trading

At its meeting of 7 April 2015 the Committee was advised of a need to relocate licensed street traders located on Central Square and Great Western Lane due to the forthcoming redevelopment of the Central Square area. Mrs Paula Yeates is

currently licences to sell fruit, flowers and hog roast (on major event days) from a stall in Great Western Lane.

Members were advised that a trader on Park Lane, off Queen Street, has surrendered his licence. The site was considered a suitable alternative site for Mrs Paula Yeates. Mrs Yeates has advised officers that since the redevelopment of the bus station started her business has suffered a reduction in footfall and therefore she would keen to move to the new location as soon as possible. It was proposed that she begins trading from the new site on 19 October 2015.

RESOLVED – That the Committee approve the relocation of Mrs Yeates' street trading licence from Great Western Lane to Park Lane as of 19 October 2015.

The meeting terminated at 11.30 am

## PUBLIC PROTECTION SUB COMMITTEE

6 OCTOBER 2015

Present: County Councillor Parry(Chairperson)  
County Councillors Morgan

### 7 : 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 (Access to Information) (Variation) (Wales) Order 2007 as described below:

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

### 8 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

(1) Application 1

Deferred for 1 month.

(2) Application 2

Deferred for 1 month.

(3) Application 3

Driver to receive a written warning and attend a speed awareness course.

(4) Application 4

Deferred for 1 month.

(5) Application 5

Deferred for 1 month.

(6) Application 6

Application for a Hackney Carriage/Private Hire driver licence refused as the Committee did not consider the application to be a fit and proper person to hold licence.

(7) Application 7

Application for a Hackney Carriage/Private Hire driver licence refused as the Committee did not consider the application to be a fit and proper person to hold licence.

(8) Application 8

Application for a Hackney Carriage/Private Hire drivers licence refused as the Committee did not consider the application to be a fit and proper person to hold licence.

(9) Application 9

Application for a Hackney Carriage/Private Hire drivers licence granted.

9 : LEGAL PROCEEDINGS AND ENFORCEMENT ACTIONS

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

The meeting terminated at 1.30 pm

## PUBLIC PROTECTION SUB COMMITTEE

3 NOVEMBER 2015

Present: County Councillor Parry(Chairperson)  
County Councillors Bridges and Goddard

### 10 : DECLARATIONS OF INTEREST

Councillor Goddard declared a personal interest in application 1, 2 and 4 in accordance with the Members Code of Conduct.

Application 1 – Councillor Goddard is the Ward Member for the area in which the applicant resides.

Application 2 – Councillor Goddard is a Local Authority Governor at the school at which the witness is employed.

Councillor Goddard withdrew from the meeting and took no part in the decision. Councillor Murphy took her place in respect of Application 2.

Application 4 – Councillor Goddard took no part in the decision making process as she had had experience in dealing with Asda Insurance.

### 11 : 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 (Access to Information) (Variation) (Wales) Order 2007 as described below:

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

### 12 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

- (1) Application 1  
Licence Revoked
- (2) Application 2  
Licence suspended for 2 weeks for unacceptable conduct

- (3) Application 3  
Licence suspended for 6 months for battery
- (4) Application 4  
Licence suspended for 1 month for driving offences
- (5) Application 5  
Application for a Hackney Carriage/Private Hire driver licence refused as the Committee did not feel that the applicant is a fit and proper person to hold a licence.

### 13 : LEGAL PROCEEDINGS AND ENFORCEMENT ACTIONS

The Legal Proceedings and Enforcement Actions that had taken place during the period were noted.

The meeting terminated at 12.50 pm



PUBLIC PROTECTION SUB COMMITTEE

1 DECEMBER 2015

Present: County Councillor Parry(Chairperson)  
County Councillors Kelloway and Murphy

14 : DECLARATIONS OF INTEREST

No declarations of interest were received.

15 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

- (1) Application 1  
Driver's Hackney Carriage/Private Hire Licence suspended for failure to use meter, failure to display badges and unacceptable conduct.
- (2) Application 2  
No further action.
- (3) Application 3  
The driver to receive a written warning for unacceptable conduct.
- (4) Application 4  
The driver to receive a written warning for unacceptable conduct.
- (5) Application 5  
Consideration of this item was adjourned pending further investigations.
- (6) Application 6  
Deferred for 1 month.
- (7) Application 7  
Application for the grant of a Hackney Carriage/Private Hire Drivers licence refused as the Sub Committee did not consider that application was a fit and proper person to hold a licence.
- (8) Application 8  
Application for the grant of a Hackney Carriage/Private Hire Drivers licence approved.

(9) Application 9

Application for the grant of a Hackney Carriage/Private Hire Drivers licence refused as the Sub Committee did not consider that application was a fit and proper person to hold a licence.

16 : LEGAL PROCEEDINGS AND ENFORCEMENT ACTIONS

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

The meeting terminated at 2.30 pm

CARDIFF COUNCIL  
CYNGOR CAERDYDD

PUBLIC PROTECTION COMMITTEE: 12<sup>th</sup> JANUARY 2016

REPORT OF THE HEAD OF REGULATORY & SUPPORTING SERVICES

**HACKNEY CARRIAGE/PRIVATE HIRE APPLICATIONS**

The Committee is requested to determine the following application:-

**1. Michael J Wilson Mercedes GL Registration No MIW 1998**

Application to have the Mercedes GL Registration No MIW 1998 approved as a prestige vehicle with a ten year age restriction.

This page is intentionally left blank

**CARDIFF COUNCIL  
CYNGOR CAERDYDD**

**Agenda No.**

**PUBLIC PROTECTION COMMITTEE: 12 January 2016**

**Report of the Head of Regulatory and Supporting Services**

**APPLICATION FOR THE CITROEN BERLINGO TAXI TO BE APPROVED AS  
A TYPE OF VEHICLE SUITABLE FOR USE AS A PURPOSE BUILT  
HACKNEY CARRIAGE IN CARDIFF**

**1. Background**

- 1.1 An application has been received from Mr Mudhaffar Lazim, for approval as a purpose built hackney carriage of a Citroen Berlingo, converted by Cab Direct.
- 1.2 Under the current licence conditions for Hackney Carriages and Private Hire Vehicles, three different standard classes of vehicles are recognised for the purpose of licensing: saloon cars, prestige vehicles and purpose built vehicles. Purpose built hackney carriages include those vehicles which meet the Metropolitan Conditions of Fitness and one off suitably adapted vehicles which are licensed on their individual merits. All vehicles must be right hand drive with four doors and must meet certain criteria. The differences between the standard classes are detailed in the following table:

<b>Specification</b>	<b>Saloon Car</b>	<b>Prestige Vehicle</b>	<b>Purpose Built</b>
Maximum age at first application	25 months	<10 years	<10 years
Maximum permitted age	6 years	10 years	10 years
Age at which it may be annually tested	Until 4 years	Until 4 years	10 years
Headroom	> 32 inches	> 32 inches	N/A
Rear Leg room	> 30 inches	> 30 inches	N/A
Rear Seat Depth	> 18 inches	> 18 inches	N/A
Rear Seat Width	> 54 inches	> 54 inches	N/A
Central Door Locking System Required	No	No	Yes

- 1.3 Currently there are a number of vehicles classified as purpose built for the purposes of licensing as hackney carriages which include:

<b>VEHICLE</b>	<b>APPROVAL DATE</b>
London Taxis International TX1/2	MPCoF
London Taxis International FX4	MPCoF

Reliant Metrocab	MPCoF
London Taxis International TX4	MPCoF
Mercedes Eurocab	06/07/1999
Fiat Scudo Eurocab	06/07/1999
Volkswagen Accessible Sharan	06/07/1999
Peugeot Euro 7	09/08/2000
Fiat Dakota Cab	17/04/2002
Volkswagen Unique Cab SWB	03/09/2002
Ford Transit Unique Cab SWB	03/09/2002
Mercedes Vito Unique Cab SWB	08/10/2002
Peugeot Eurobus	11/02/2003
Fiat High Roof Doblo Freedom Wheelchair Accessible Vehicle	10/06/2003
Fiat Mont Blanc Taxi	02/06/2003
European	09/09/2003
TW200 Taxi	08/02/2005
SVA Citroen Taxi	08/11/2005
Volkswagen Eurocab Taxi	08/11/2005
Citroen Le Cab Noir	08/11/2005
Peugeot Le Cab Noir	08/11/2005
Mercedes M8	08/11/2005
Peugeot E7se	08/11/2005
SVA Peugeot Taxi	06/06/2006
Mercedes Benz T1 Eurocab Taxi	10/10/2006
Fiat Doblo Eurocab Taxi	10/10/2006
Scot Cab	05/12/2006
Mansell Mercedes Taxi and	06/03/2007
Mansell Volkswagen City 7 Taxi	06/03/2007
Peugeot E7 Series II Short Wheelbase Version	03/07/2007
New TW200 Taxi short and long wheelbase Versions	09/10/2007
Peugeot E7 Series II Long Wheelbase Version	06/11/2007
New Scot Cab	04/12/2007
Sentinel Taxi	08/01/2008
Renault Traffic Hackney	12/12/2008
Mercedes Benz Vito Taxi	02/02/2010 MPCoF
Mercedes 108 Vito	06/09/2011
Nissan Primastar	06/09/2011
Volkswagen Caddy Life	10/01/2012
Volkswagen Kudos	02/10/2012

## **2. Details.**

- 2.1 An application has been received from Mr Mudhaffar Lazim, for approval as a purpose built hackney carriage of a Citroen Berlingo.
- 2.2 The vehicle is type approved by the United Kingdom vehicle approval authority and the relevant paperwork is detailed in Appendix A. The applicant has been requested to provide a vehicle for viewing at the meeting.

## **3. Considerations.**

- 3.1 In considering the appropriateness of a vehicle as purpose built for use as a hackney carriage the Committee should consider the safety and suitability of the vehicle for the purpose and in particular should consider the:

- type, size and design of the vehicle
- ease of access and egress from the vehicle
- use of the vehicle by passengers in wheelchairs
- the storage of any necessary equipment such as ramps
- suitability and comfort of the seating arrangement
- provision for fitment of a taximeter
- suitability of the roof sign
- capacity and suitability of the luggage compartment

- 3.2 Should approval be granted each vehicle will need to be inspected and tested to ensure that it is in a suitable mechanical condition for licensing.

## **4. Trade Consultation**

Whereas individual applications for vehicle classification for use are not necessarily a policy issue, the trade consultation procedure was undertaken in accordance with the consultation procedure on any policy changes.

## **5. Achievability**

This report contains no equality, personnel or property implications.

## **6. Legal Implications**

All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to

the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

**7. Financial Implications**

There are no financial implications arising directly from this report.

**9. Recommendation**

It is recommended that:

- a) The vehicle be inspected and the application decided on its merits.
- b) The Head of the Shared Regulatory Service is authorised on behalf of the City of Cardiff Council to approve applications for purpose-built vehicle approval.

**Dave Holland**  
**HEAD OF REGULATORY SERVICES**

**7 December 2015**

This report has been prepared in accordance with procedures approved by Corporate Managers.

Background Papers: None



CARDIFF COUNCIL

LICENSING SECTION



Application for Hackney Carriage Vehicle Type Approval

Name: MUDHAFFAR LAZIM

Date of Birth 1 / 1 / 1981

Company Name \_\_\_\_\_

Telephone No. \_\_\_\_\_

Address: \_\_\_\_\_

Fax No. \_\_\_\_\_

I/We wish to apply for approval of a vehicle for use as a hackney carriage in the City of Cardiff and I provide the following details.

1.	Please give a brief description of the vehicle, dimensions, passenger capacity, number of doors etc.	The vehicle is a <del>Coetroen</del> Citroen Berlingo 1.6 Diesel HDI 90-MPV, 5 passengers with driver, 5 doors. The vehicle is supply with wheel chair disable.
2.	Give details of the Type approval Certificate	No: VF77J9HXCAJ746403 Date: 1/10/2010 (A copy of the Certificate should be attached to the application form)
3.	Give details of when the vehicle was approved by the Metropolitan Police Public Carriage Office (If relevant).	No: Date: (A copy of the approval letter should be attached to the application form)
4.	Please provide the following details about the vehicle: (Any relevant sketches and diagrams may be included with the application form)	
Vehicle Engine and Fuel system:		1560 CC Diesel

<b>Gearbox:</b>	Manual
<b>Brakes:</b>	ABS Brakes
<b>Wheels and Tyres:</b>	205 / 65 / 15
<b>Bodywork:</b>	Black and white
<b>Turning Circle Distance:</b>	
<b>Front Suspension Type:</b>	
<b>Rear Suspension Type:</b>	
<b>Steering Type and mechanism:</b>	Power steering
<b>Door Widths:</b>	
<b>Seating arrangements:</b>	1 NEXT TO DRIVER <del>3 FEAR DOWN</del> 3 FORWARD FACING.
<b>Wheelchair accessibility arrangements:</b>	WINCH RAMP.

<b>Internal Headroom - Front Passengers:</b>	
<b>Internal Headroom - Rear Passengers:</b>	
<b>Seatbelt Type - Wheelchair:</b>	
<b>Seatbelt Type and Number - Front:</b>	
<b>Seatbelt Type and Number - Rear:</b>	
<b>Internal Illumination:</b>	
<b>Taximeter Fixing Arrangements:</b>	
<b>Licence Plate and Sign Fixing Arrangement:</b>	
<b>5.</b>	<b>Please give details of any training to be provided by dealers.</b>
<b>6.</b>	<b>Please give details of the servicing requirements of the vehicle:</b>
<b>19.</b>	<b>Have you ever applied to Cardiff Council before? If so please give details.</b>
<b>20.</b>	<b>Please give details of any other local authorities which have either approved or refused approval of the vehicle.</b>
	<u>Authority</u>
	<u>Approval Date</u>

**CONVICTIONS:** (List all convictions of both the directors and/or, if relevant, the company)

Date of Conviction	Date of Offence	Offence	Court and Sentence

**PLEASE READ CAREFULLY BEFORE SIGNING:**

1. I understand that should approval of this type of vehicle be given the grant of a licence will not be considered until the vehicle has passed a MOT and satisfactory mechanical inspection.
2. I hereby declare that I have checked the information given on this application form and that it is to the best of my knowledge and belief correct. I make this declaration in the knowledge that if I have knowingly or recklessly made a false statement or omitted any material particular, I shall be liable to prosecution and that any licence (if granted) will be liable to be suspended or revoked.
3. Any data supplied by you on this form will be processed in accordance with Data Protection Act requirements and in supplying it you consent to the Council processing the data for the purpose for which it is supplied. All personal information provided will be treated in the strictest confidence and will only be used by the Council or disclosed to others for a purpose permitted by law. This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

SIGNED: \_\_\_\_\_

*M. [Signature]*

DATED: 26/11/2015

SM60AGX - VF77J9HXCAJ746403

**Allied Vehicles Administration**

To:  
lazim@hotmail.co.uk;

Mon 23/11/2015 14:53

**Hello**

This is to confirm the following vehicle has been converted and tested by ourselves for a Motability customer in 2010

Citroen Horizon S 90 1.6 HDI Winch  
VF77J9HXCAJ746403  
SM60AGX

Regards

Admin  
Cab Direct  
01413363211

The information in this e-mail is confidential. The contents may not be disclosed or used by anyone other than the addressee. If you are not the intended recipient, please notify the sender immediately by reply e-mail and delete this message. Allied Vehicles cannot accept any responsibility for the accuracy or completeness of this message as it has been transmitted over a public network.

Allied Vehicles is authorised and regulated by the Financial Conduct Authority.

For details of our products and services please visit our website at [www.alliedvehiclesltd.com](http://www.alliedvehiclesltd.com)

