

PUBLIC PROTECTION COMMITTEE

9 FEBRUARY 2016

Present: County Councillor Parry(Chairperson)
County Councillors Manzoor Ahmed, Boyle, Goddard, Hudson,
Kelloway, Murphy and Walsh

28 Apologies for Absence

Apologies for absence were received from Councillors Bridges, Morgan and Simmons.

29 Declarations of Interest

No declarations of interest were received.

30 Minutes

The minutes of the meetings held on 12 January 2016 were approved by the Committee as a correct record and were signed by the Chairperson.

31 APPLICATION TO AMEND A STREET TRADING LICENCE

The Committee on 4 August 2015 approved the change in street designation for part of Working Street to a licence street to allow for a trader to relocate his street trading business from Central Square, due to the redevelopment of the Central Square area. The trader was permitted to sell bagettes, jacket potatoes, pre-cooked hotdogs and non-alcoholic drinks. The trader has applied to vary his licence so that he can also sell burgers.

Members were reminded that at the meeting on 4 August 2015, following objections to the application from another business the trader had agreed not to sell burgers. As a result, the trader has reported a loss of trade. The application to vary the licence was made as an attempt to bring back some of the trade which has been lost.

An objection to the variation was received on 26 January 2016. Members were advised that the letter of objection did not take into account the statutory grounds for objection and therefore, cannot be taken into consideration. There were no grounds on which the Committee could refuse the application.

During the meeting Members received representations from the trader and Councillor Georgina Phillips.

RESOLVED – That that application to vary the street trading licence be granted.

32 HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE FEES 2016

The Committee received a report seeking approval for new hackney carriage and private hire vehicle licence fees. The current fees and charges were approved by the Committee in March 2014 and were implemented on 1 June 2014.

The report provided a summary of the current fees and the proposed new fees. Members

noted that all the new fees were lower than the current fees. Officer advised that in the 2014/15 financial year there was a surplus of £9,961 in respect of hackney carriage vehicle licences, and £12,786 in respect of private hire vehicle licences. The revised fees did not include the cost of the taxi marshal service.

The fees were calculated using the toolkit which has been developed by the Wales Licencing Expert Panel. The toolkit was used by all Welsh authorities. Further information regarding the methods used to calculate the fees and the details of the figures involved were appended to the report at Appendix A. Members were asked to note that the cost summary included a section on the cost of providing the service. This was calculated on the basis of an hourly rate set against each member of staff and included all overheads. The figures quoted were not the hourly rate of pay for each Member of staff.

Members of the Committee advised that they had received emails from a member of the public regarding the proposed increase in fees. The representations received which included accusations that Members were knowingly breaking the law as part of their consideration of this issue. Members requested the Legal Officer for guidance regarding this accusation. The Legal Officer advised that Members were not about to break any laws. If that were to be the case, the Legal Officer would advise them accordingly. The Committee was advised that there was no legal basis to prevent them proceeding with their consideration of the report and subsequent taking a decision.

RESOLVED – That

- (1) the Committee approve the proposed licence fees outlined in this Report with an implementation date of 1 April 2016
- (2) the Committee authorise the Head of Shared Regulatory Services to carry out the necessary public notice procedure.
- (3) If objections are received within 28 days of the publication of the notice of the proposed changes to the fees, the matter come back before the next appropriate Committee meeting so that any such objections can be considered, modifications be considered, and a new date for the introduction of the variations can be set.

33 AUTHORISATION OF OFFICERS AND DELEGATIONS

As a result of the restructuring of the Shared Regulatory Service Members were advised that there was a need to update the delegation arrangements to ensure that the officers involved in enforcement activities have the appropriate formal authorisation to act on the Council's behalf. The Committee received a report and Members were asked to consider delegating the appropriate powers to officers.

Members advised that they had received representation regarding the proposals set out in the report. The Legal Officer provided clarification on a number of issues raised in those representations.

RESOLVED – That the Committee

- (1) Authorise the Assistant Director for City Operations, and the Head of Shared Regulatory Services to act as authorised officers and undertake the roles identified

in 2.3 above.

- (2) Delegate authority to the Assistant Director for City Operations, and the Head of Shared Regulatory Services to appoint and authorise appropriately qualified staff to act on the Council's behalf under each of the functions listed in Schedule 1 and any relevant future enactments determined to be the responsibility of the Public Protection Committee.

Such officer authorisations to be for the administration of the requirements of the functions in Schedule 1 and to enable entry onto premises, inspection, sampling, recovering of evidence and any other related operational purposes.

The meeting terminated at 11.15 am