

AGENDA

Committee

PUBLIC PROTECTION COMMITTEE

Date and Time
of Meeting

TUESDAY, 3 MARCH 2015, 10.30 AM

Venue

COMMITTEE ROOM 1 - COUNTY HALL

Membership

Councillor Parry (Chair)
Councillors Ahmed, Boyle, Bridges, Howells, Hudson, McGarry, Morgan,
Murphy, Phillips and Simmons

**Members are asked to inspect vehicles from 10.15am onwards.
Staff will be present nearby to answer any queries.**

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 - 12)

To approve as a correct record the minutes of the previous meeting.

4 WAO Report - Delivering with Less

(Pages 13 - 82)

5 Sex Establishment Licence Renewal Application – Colin's Books

(Pages 83 - 94)

6 Roof Mounted LCD Advertising

(Pages 95 - 102)

7 Full Livery Advertising

(Pages 103 - 110)

8 Review of General Licence Fees

(Pages 111 - 114)

9 Street Trading Designations - City Centre Streets

(Pages 115 - 118)

10 Skin Piercing Registrations

(Pages 119 - 120)

11 Animal Licence Applications

(Pages 121 - 130)

12 Street and House to House Collection Permit Applications
(Pages 131 - 136)

Date of next meeting - Tuesday, 7 April 2015

Marie Rosenthal

County Clerk & Monitoring Officer

Date: 25 February 2015

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

PUBLIC PROTECTION COMMITTEE

6 JANUARY 2015

Present: County Councillor (Chairperson)
County Councillors Boyle, Bridges, Howells, Hudson, McGarry,
Morgan, Murphy and Simmons

47 Election of Chairperson

The Committee RESOLVED – to elect Councillor Jim Murphy as Chairperson for the meeting.

48 Apologies for Absence

Apologies for absence were received from Councillors Ahmed, Parry and Phillips.

49 Declarations of Interest

No declarations of interest were received.

50 Minutes

The minutes of the meetings held on 2 December 2014 were approved by the Committee as a correct record and were signed by the Chairperson.

51 Street Trading Designation - Central Square

The Committee received a report and were asked to consider re-designating Central Square for the purposes of street trading. Members were advised that Central Square is currently designated as a Licensed Street. A trader has occupied the site for many years selling hot drinks and hot food. However, due to the impending redevelopment Central Square is will no longer be possible for any persons to trade from the site. Officers therefore recommended that the designation be changed to 'Prohibited Street'.

Councillors asked whether the existing trader had been offered an alternative site. Officers advised that discussions with the trader concerned were still on-going.

RESOLVED – That the Committee agree to:

- (1) Rescind the designation of that part of Central Square currently designated as a Licence Street; and
- (2) Designate Central Square in its entirety as a Prohibited Street;
- (3) The County Solicitor be authorised to publish a legal notice of the Committee's intention and report to the Committee in due course so that it may consider passing the necessary resolution.

52 Skin Piercing Registrations

The Committee noted the actions taken by the Head of Regulatory and Supporting Services in respect of the following applications:

Personal

1. J Scott
The Feet and Face Place
2. K Hurley
The Feet and Face Place
3. L Matthews
The Feet and Face Place
4. GW Marsden
Two Hearts Tattoo Studio

Premises

5. The Feet and Face Place
Kings Road, Canton

53 Street Trading Licences

The Committee noted the actions taken by the Head of Regulatory and Supporting Services in respect of the following applications:

1. P Thomas, Working Street – Street Trading Licence renewed
2. S Omar, Bangor Street – Street Trading Licence renewed
3. H Morgan, Park Lane – Street Trading Licence renewed
4. P Dolbear, Ann Street – Street Trading Licence renewed
5. P Yates, Great Western Lane – Street Trading Licence renewed
6. T Harris, Central Square – Street Trading Licence renewed

54 Sex Establishment Licences

The Committee noted that actions taken by the Head of Regulatory and Supporting Services in respect of the following applications:

1. T Hemming, Simply Pleasures.com, Broadway
Sex Establishment Licence renewed

2. JCW (UK) Ltd, Fantasy Lounge, St Mary Street
Sexual Entertainment Venue Licence renewed

55 Street and House to House Collection Licence Applications

The Committee noted that actions taken by the Head of Regulatory and Supporting Services in respect of the following applications:

1. Teach Africa
Street Collection Permit
21/02/2015
2. Age Cymru
Street Collection Permit
14/03/2015
3. Childreach International
Street Collection Permit Collection
31/01/2015
4. Royal British Legion Poppy Appeal
Street Collection Permit
27/06/2015
5. Salvation Army
Street Collection Permit
16/05/2015
6. Marie Curie Cancer Care
Street Collection Permit
28/02/2015
7. Help for Heroes
Street Collection Permit
06/02/2015
8. Army Benevolent Fund
Street Collection Permit
14/05/2015
9. Velindre Hospital

- Street Collection Permit
14/05/2015
10. Caerphilly Junior Rugby Club
Street Collection Permit
14/02/2015
11. Christian Aid
Street Collection Permit
09/05/2015
12. Wales Air Ambulance
Street Collection Permit
14/06/2015
13. Grand Order of Water Rats
Street Collection Permit
07/02/2015 to 08/02/2015
14. The Phoenix Childrens Foundation
Street Collection Permit
29/05/2015
15. Gwyl Ifan
Street Collection Permit
20/06/2015
16. Noah's Ark Appeal
House to House Collection Permit
01/01/2015 to - 31/12/2015
17. Help for Heroes
Carol Permit
12/12/2014
18. RSPB
Carol Permit
16/12/2014

19. RSPB
Carol Permit
23/12/2014
20. Save the Children
Carol Permit
03/12/2014
21. George Thomas Hospice
Street Collection Permit
25/04/2015
22. Hope Rescue
Carol Permit
20/12/2014
23. Hope Rescue
Carol Permit
21/12/2014
24. Against Breast Cancer
House to House Collection Permit
01/01/2015 - 31/12/2015
25. Greyhound Rescue Wales
Carol Permit
06/12/2014
26. Greyhound Rescue Wales
Carol Permit
20/12/2014
27. Mind
Carol Permit
21/12/2014
28. UCKG Helpcentre

- Carol Permit
13/12/2014
29. UCKG Helpcentre
Carol Permit
20/12/2014
30. UCKG Helpcentre
Carol Permit
24/12/2014
31. Wales Air Ambulance
Carol Permit
10/12/2014
32. Friends Of The Dogs (Wales)
Carol Permit
13/12/2014
33. British Heart Foundation
Carol Permit
13/12/2014
34. British Heart Foundation
Carol Permit
12/12/2014
35. Western Beacons Mountain Search and Rescue Team
Carol Permit
21/12/2014
36. Western Beacons Mountain Search and Rescue Team
Carol Permit
20/12/2014
37. FutureSense Foundation
Carol Permit
26/12/2014

38. FutureSense Foundation
Street Collection Permit
01/02/2015
39. The Little Princess Trust
Carol Permit
13/12/2014
40. Motor Neurone Disease
House to House Collection Permit
19/12/2014
41. Hope for Children
Carol Permit
21/12/2014 to 24/12/2014
42. Llanedeyrn Primary School
Carol Permit
18/12/2014
43. FutureSense Foundation
Street Collection Permit
24/01/2015
44. FutureSense Foundation
Street Collection Permit
02/01/2015
45. Marie Curie Cancer Care
Street Collection Permit
01/03/2015
46. Childrens Heart Federation
Carol Permit
27/12/2014 to 30/12/2014

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PUBLIC PROTECTION SUB COMMITTEE

6 JANUARY 2015

Present: County Councillors Parry (Chairperson) and Phillips;

PPSC27 : 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)”.

PPSC28 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

- (1) Application 1
That the driver receives a written warning for unacceptable conduct.
- (2) Application 2
Application withdrawn.
- (3) Application 3
No further action.
- (4) Application 4
Application for the grant of a Hackney Carriage/Private Hire Drivers Licence granted.
- (5) Application 5
Application for the grant of a Hackney Carriage/Private Hire Drivers Licence refused.

PPSC29 : LEGAL PROCEEDINGS AND ENFORCEMENT ACTIONS

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

.....
Chairperson

PUBLIC PROTECTION SUB COMMITTEE

3 FEBRUARY 2015

Present: County Councillors Parry (Chairperson) and Phillips;

PPSC30 : 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)”.

PPSC31 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

(1) Application 1

That the driver receives a written warning for unacceptable conduct.

(2) Application 2

No further action.

(3) Application 3

Adjourned for 1 month.

(4) Application 4

Licence suspended for 3 months. Delegated authority is given to the Group Leader Licensing to lift the suspension upon receipt of satisfactory Disclosure and Barring Service documentation.

(5) Application 5

Adjourned for 1 month.

(6) Application 6

No further action.

- (7) Application 7
Licence suspended for 2 weeks for unacceptable conduct.
- (8) Application 8
Requirement for the driver to complete the BTEC Disability Awareness module extended for 3 months.
- (9) Application 9
Application for a Hackney Carriage/Private Hire Drivers licence granted.
- (10) Application 10
Application for a Hackney Carriage/Private Hire Driver licence refused.

PPSC32 : 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

CARDIFF COUNCIL

Agenda Item

CYNGOR CAERDYDD

PUBLIC PROTECTION COMMITTEE: 3rd March 2015

REPORT OF THE CORPORATE DIRECTOR – ENVIRONMENT

Welsh Audit Office: Delivering with less – The Impact on Environmental Health Services and Citizens

1. Background

This audit and report has been completed by the Welsh Audit Office. It considers the impact of cuts in resources on the ability of Cardiff Council environmental health services to deliver their statutory obligations. A national report was published in October 2014 and received significant coverage in the Welsh media. Subsequently the individual local authority reports have been made available.

2. Overview

The Cardiff report provides a summary of the overall national level findings and compares this all Wales picture with the specific findings for Cardiff Council. A wide range of documents and media were reviewed and visits were undertaken to all 22 local authorities in Wales. In addition, the audit included

- an assessment of the Chartered Institute of Environmental Health Wales Best Practice Standards and the current levels of performance within each council
- a detailed analysis of revenue expenditure and staff data at each Council against the Best Practice Standards and
- A survey of all local authority environmental health staff and all elected members and made available and promoted an on-line survey for Welsh citizens.

The audit report concluded that Cardiff Council is mostly delivering environmental health services at a good standard or above but due to cuts in resources and negative views on the quality and management of current services, the Council will find it difficult to take on new statutory duties that protect the public and the environment in the future.

This conclusion was considered appropriate for the following reasons:

- councils have many statutory environmental health duties but spending is not being protected during the current period of financial austerity, which is making it more difficult to deliver national strategic priorities;

- the Council is delivering most of its environmental health services at the highest levels as judged against the Best Practice Standards;
- between 2011-12 and 2013-14 the Council cut environmental health budgets and staff numbers but the level of reduction is below the average for Welsh councils;
- survey respondents are mostly negative about the current standard of the Environmental Health service in Cardiff and there is a low awareness of current performance or future plans;

5. Future Challenges for Environmental Health Services

Some of the future challenges facing Environmental Health Services are highlighted and include that:

- Environmental Health services are becoming unsustainable and councils need to make new strategic choices and find more efficient and effective ways of working if they are to continue to meet their current and future statutory responsibilities.
- The ability of councils to ensure environmental health services are sustainable in the future is hampered by reactive approaches to making budget and staff cuts.
- Future proofing environmental health services to ensure that statutory responsibilities are maintained, has been very limited in most councils. This represents a risk to the health and well-being of all those living and visiting Wales.
- Welsh Government is planning significant new legislation that will impact directly on the services provided by councils' environmental health and includes a series of proposals for legislation to help further improve public services and protect people's health and well-being in Wales.

6. Next Steps

Nick Selwyn the WAO Project Manager for the audit and report will be attending Committee to provide a short presentation on the audit process and findings. Actions have already been taken to address some of the issues raised, which will be highlighted during the meeting.

7. Reasons for the Recommendations

To inform Members of the progress and current position in relation to the Wales Audit Office's 'Delivering for less' study of Environmental Health Services and to enable members to exercise their scrutiny role in relation to performance monitoring.

8. Financial Implications

There are no financial implications directly associated with this report.

9. Legal Implications

The legal implications appear in the text of this Report

10. Recommendations

Committee is asked to

1. Note the findings of the Wales Audit Office's 'Delivering for Less' report.
2. Consider and understand the extent and impact of the work undertaken by Environmental Health Services.

**JANE FORSHAW
CORPORATE DIRECTOR – ENVIRONMENT
FEBRUARY 2015**

This report has been prepared in accordance with procedures approved by the Corporate Management Team

Appendices:

1. Welsh Audit Office : Delivering with less – The Impact on Environmental Health Services and Citizens

Delivering with less – the impact on Environmental Health Services and citizens

City of Cardiff Council

Audit year: 2014-15

Issued: December 2014

Document reference: 587A2014

Status of report

This document has been prepared for the internal use of the City of Cardiff Council as part of work performed in accordance with statutory functions.

No responsibility is taken by the Auditor General, the staff of the Wales Audit Office or, where applicable, the appointed auditor in relation to any member, director, officer or other employee in their individual capacity, or to any third party.

In the event of receiving a request for information to which this document may be relevant, attention is drawn to the Code of Practice issued under section 45 of the Freedom of Information Act 2000. The section 45 Code sets out the practice in the handling of requests that is expected of public authorities, including consultation with relevant third parties. In relation to this document, the Auditor General for Wales, the Wales Audit Office and, where applicable, the appointed auditor are relevant third parties. Any enquiries regarding disclosure or re-use of this document should be sent to the Wales Audit Office at infoofficer@wao.gov.uk.

The Wales Audit Office study team Project Manager was Nick Selwyn and comprised of Simon Pippard, Charlotte Owen and Martin Gibson and colleagues from PwC, KPMG and Grant Thornton.

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Summary

1. Local government plays a pivotal role in shaping and supporting their local communities and providing community leadership and democratic representation. Councils also provide a range of vital front-line services and have statutory responsibilities for many things that affect people's lives. These services include school education, planning and transport; environmental health; social services; housing; waste management; and promoting equality and sustainable development.
2. Environmental health services cover the assessment, control and prevention of factors in the environment that can adversely affect human health. They cover a range of issues that are of particular public concern, such as food safety, pest control, dog fouling and noise pollution. Council responsibilities include: assessing the quality of the homes where people live; assessing the safety of places where people work; checking the hygiene of places where people eat and where food is produced; reducing the causes and effects of air pollution; dealing with problems arising from noise and anti-social behaviour; and pest and dog control.
3. As set out in the Auditor General's recent report '*Meeting the Financial challenges facing Local Government in Wales*'¹, the UK is going through an unprecedented period of fiscal austerity with significant implications for public spending in Wales. As a result of the spending reviews there have been major cuts in Welsh Government budgets. Between 2010-11 and 2013-14, the Welsh Government's revenue budget reduced by around £1 billion (seven per cent) in real terms (at 2010-11 prices). By the end of 2016, the Welsh Local Government Association expects the local government shortfall will be £460 million. Councils are therefore under increasing pressure to reduce costs whilst still having a duty to deliver many statutory services as well as make arrangements to secure continuous improvement.
4. Councils are being tested in how they respond to this challenge. The scale of cost reduction required means that councils will have to look beyond immediate short-term savings and think more radically about how to reduce costs and how to sustain this in the longer term whilst still improving services. Cutting spending effectively requires councils to take a strategic overview to avoid an erosion of service quality in priority delivery areas. Councils should clearly prioritise which services matter most, based on an accurate, realistic assessment of the costs, benefits and risks of the options to cut spending.

¹ Wales Audit Office, *Meeting the Financial Challenges Facing Local Government in Wales*, 27 January 2014.

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5. As the first in a series of studies looking at how councils are managing to deliver with less, this study considers the impact of cuts in resources on the ability of council environmental health services to deliver their statutory obligations. We have a clear rationale for selecting environmental health services for our first national delivering with less study. Environmental health is highlighted as a service where councils should collaborate more effectively in the 'Simpson' Report². Environmental health is also a service that has been afforded less priority than other local government areas such as education and social services. Finally, citizens highly value many of the services provided by council environmental health teams, work such as tackling noise nuisance, dealing with dog fouling and inspecting food premises.
 6. The report provides a summary of our overall national level findings and compares this all Wales picture with the specific findings for City of Cardiff Council (the Council). We have reviewed a wide range of documents and media and undertook fieldwork at all 22 local authorities in Wales. In addition, we completed an assessment of the Chartered Institute of Environmental Health Wales Best Practice Standards and the current levels of practice within each council and a detailed analysis of revenue expenditure and staff data at each Council against the Best Practice Standards. We also undertook a survey of all local authority environmental health staff and all elected members and made available and promoted an on-line survey for Welsh citizens.
 7. In summary, we conclude that **the Council is mostly delivering environmental health services at a good standard or above but due to cuts in resources and negative views on the quality and management of current services, the Council will find it difficult to take on new statutory duties that protect the public and the environment in the future**. We came to this conclusion because we found that:
 - councils have many statutory environmental health duties but spending is not being protected during the current period of financial austerity, which is making it more difficult to deliver national strategic priorities;
 - the Council is delivering most of its environmental health services at the highest levels as judged against the Best Practice Standards;
 - between 2011-12 and 2013-14 the Council cut environmental health budgets and staff numbers but the level of reduction is below the average for Welsh councils;
 - survey respondents are mostly negative about the current standard of environmental health service and there is a low awareness of current performance or future plans; and
 - new environmental health statutory duties are being introduced which the Council will find it difficult to deliver.

² Local Government Leadership Centre, Local, Regional, National: What Services are Delivered Where? March 2011.

Recommendations

8. The key recommendations arising from work we carried out under our national report are set out below. We identify the responsible partners who should co-operate to address these recommendations. These include the Welsh Government, Welsh Local Government Association and Chartered Institute of Environmental Health Cymru as well as councils. We have listed these recommendations in full to ensure all councils are fully aware of our findings and are working with the Welsh Local Government Association and the Wales Head of Environmental Health Group to address these.

Recommendation	Responsible Partners
<p>R1 Revise the best practice standards to:</p> <ul style="list-style-type: none"> align the work of environmental health with national strategic priorities; identify the wider contribution of environmental health in delivering strategic priorities of Welsh Government; and identify the benefit and impact of environmental health services on protecting citizens. 	<p>Councils Chartered Institute of Environmental Health Cymru</p>
<p>R2 Provide scrutiny chairs and members with the necessary skills and support to effectively scrutinise and challenge service performance, savings plans and the impact of budget reductions.</p>	<p>Councils Welsh Local Government Association</p>
<p>R3 Improve engagement with local residents over planned budget cuts and changes in services by:</p> <ul style="list-style-type: none"> consulting with residents on planned changes in services and using the findings to shape decisions; outlining which services are to be cut and how these cuts will impact on residents; and setting out plans for increasing charges or changing standards of service. 	<p>Councils Welsh Local Government Association</p>

Recommendation	Responsible Partners
<p>R4 Improve efficiency and value for money by:</p> <ul style="list-style-type: none"> • identifying the statutory and non-statutory duties of council environmental health services; • agreeing environmental health priorities for the future and the role of councils in delivering these; • determining an ‘acceptable standard of performance’ for environmental health services (upper and lower) and publicise these to citizens; • improving efficiency and maintaining performance to the agreed level through: <ul style="list-style-type: none"> – collaborating and/or integrating with others to reduce cost and/or improve quality; – out sourcing where services can be delivered more cost effectively to agreed standards; – introducing and/or increasing charges and focussing on income generation activity; – using grants strategically to maximise impact and return; and – reducing activities to focus on core statutory and strategic priorities. 	<p>Councils Welsh Local Government Association Welsh Government</p>
<p>R5 Improve strategic planning by:</p> <ul style="list-style-type: none"> • identifying, collecting and analysing financial, performance and demand/need data on environmental health services; • analysing collected data to inform and understand the relationship between ‘cost: benefit: impact’ and use this intelligence to underpin decisions on the future of council environmental health services; and • agree how digital information can be used to plan and develop environmental health services in the future. 	<p>Councils</p>
<p>R6 Clearly set out the expectations of council environmental health services under new housing and health legislation and agree how these new duties will be delivered.</p>	<p>Welsh Government, Welsh Local Government Association</p>

The Council is mostly delivering environmental health services at a good standard or above but due to cuts in resources and negative views on the quality and management of current services, the Council will find it difficult to take on new statutory duties that protect the public and the environment in the future

9. In this section of the report, we summarise the findings of our national report on the state of council environmental health services in Wales and specific to the Council. This information is based on an analysis of the financial pressures councils are under; the changes in environmental health budgets and staffing between 2011-12 and 2013-14; the Best Practice Standards for Environmental Health; the findings of our staff survey for individual councils and the national survey findings for elected members and citizens; and an analysis of new council environmental health duties proposed by the Welsh Government.

Councils have many statutory environmental health duties but spending is not being protected during the current period of financial austerity, which is making it more difficult to deliver national strategic priorities

10. Following the May 2010 election, the new UK coalition government carried out a Spending Review, which was finalised in October 2010. The Spending Review covered the years 2011-12 through to 2014-15 and was driven by a desire to reduce UK government spending in order to cut the budget deficit. The details of the Spending Review were announced on 20 October 2010 and introduced significant cuts in public spending. The review intended to cut £81 billion in public spending over the life of the coalition government, with average departmental cuts of 19 per cent. In addition, major changes in welfare were announced including £7 billion of cuts, changes to incapacity benefit, housing benefit and tax credits and a rise in the state pension age to 66 from 2020. Public sector employees also face a £3.5 billion increase in public pension contributions³. Because of slow economic growth, the UK government undertook a further Spending Review in 2013 to adjust its spending plans and introduce an additional two years of public spending cuts, taking fiscal austerity up to 2017-18.

³ *An introduction to Spending Review*, HM Treasury, 2010.

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11. The Welsh budget is agreed following the UK government spending reviews. While some of the money is spent directly by the Welsh Government in accordance with Ministerial priorities, a significant proportion is allocated to the public bodies which it sponsors and funds; for example local government, the NHS in Wales and Welsh Government sponsored public bodies. Because of the spending reviews, there have been major cuts in Welsh Government budgets. Between 2010-11 and 2013-14, the Welsh Government's revenue budget reduced by around £1 billion (seven per cent) in real terms (at 2010-11 prices). However, the capital budget has seen much sharper reductions – in the order of 40 per cent, in real terms⁴.
 12. Overall, councils in Wales had a £155 million (3.8 per cent) real-terms reduction in their revenue funding from the Welsh Government in 2011-12. In real terms, the revenue funding from the Welsh Government will be around £283 million (seven per cent) lower in 2013-14 than 2010-11. In October 2013, the Welsh Government announced reductions in core funding of £175 million in 2014-15 and a further £65 million in 2015-16. By the end of 2016, the Welsh Local Government Association expects the local government shortfall will be £460 million⁵.
 13. The Welsh Government is prioritising investment in creating jobs, improving educational attainment and supporting children, families and deprived communities. By prioritising these areas, other services get less priority and, consequently, less protection from the cuts that the Welsh Government has to make. In 2012-13, the bulk of council spending is on education and social services, which account for 63 per cent of net revenue expenditure.
 14. Statutory services, which councils are required to deliver, have grown incrementally through the years on the back of numerous individual statutory provisions, regulations, directives and interpretations of all of these by judges on a case-by-case basis. It can sometimes be a very difficult matter of interpretation and judgement as to whether a particular service is a statutory or discretionary one. Work by the UK Department for Communities and Local Government identified 1,340 separate statutory duties and councils have over 200 separate environmental health statutory powers. However, no work has been undertaken in Wales to identify the statutory and non-statutory duties of council environmental health services or agree the national priorities for environmental health in the future.
 15. The Chartered Institute of Environmental Health and the all Wales Heads of Environmental Health Group has, through its Best Practice Standards, further defined the range of statutory and discretionary environmental health services delivered by councils in Wales. This extensive range of services highlights the importance of environmental health in protecting the public and improving the quality of life for people living and visiting Wales. Whilst the best practice standards outline the statutory responsibilities for council environmental health services, they could be improved by better aligning the work of environmental health with national and local strategic priorities.

⁴ Wales Audit Office, *Meeting the Financial Challenges Facing Local Government in Wales*, January 2014

⁵ www.wlga.gov.uk/media-centre-l-wlga-e-bulletins/175m-down-and-counting

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- 16.** In addition to the wide range of statutory duties that councils are responsible for, they also provide many preventative and discretionary services. In terms of environmental health these include health promotion, work under school-based health initiatives such as the Healthy Options programme and dealing with pests that are detrimental to a person's health. These services contribute to the well-being of communities and are very often highly valued. Indeed, there is increasing recognition of the value of these low-level preventive and discretionary services in promoting quality of life. They can often also delay or prevent any need for more intensive and costly services. Yet, with councils having to make significant cuts to their budgets and under pressure to prioritise resources on education and social services, many of these high-value: low-cost discretionary services are under threat.
- 17.** Environmental health work is often a local priority for improvement for councils. The Local Government (Wales) Measure 2009 (the Measure) places a general duty on councils to make arrangements to secure continuous improvement in the services they provide. In 2013-14, 17 of the 22 councils have adopted improvement objectives that relate to the work of environmental health services. Eleven councils set objectives relating to the need to improve the quality, condition and/or affordability of housing; eight councils to improve and protect the environment; five prioritised health improvements; and one council improving public health and protection services.

Exhibit 1: Council Improvement Objectives 2013-14

Seventeen of the 22 Welsh councils prioritised environmental health work as part of their 2013-14 improvement objectives



Exhibit Source: Wales Audit Office, Review of Improvement Objectives 2013-14.

- 18.** The Council has set no improvement objectives that relate to the work of environmental health. **Appendix 1** provides the full list of council Improvement Objectives 2013-14 relating to environmental health services for all councils in Wales.

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19. In 2011, the Welsh Government published its Programme for Government, which sets four broad strategic themes covering the Assembly term 2011-2015. These are: growth and sustainable jobs; educational attainment; supporting children, families and deprived communities; and improving health and well-being for all citizens⁶. Under these four broad objectives the Welsh Government has made a series of commitments to either improve current services or develop new approaches, and allocated funding to support this activity. Many of these relate to the work of council environmental health services. For example: improving the quality of Welsh homes; preventing poor health and reducing health inequalities; improving safety in communities; and living within environmental limits and acting on climate change. Reductions in environmental health services will have an effect on the delivery of national strategic priorities.

The Council is delivering most of its environmental health services at the highest levels as judged against the Best Practice Standards

20. Our review has been delivered consistently across the 22 Welsh Councils judging the Best Practice Standards that cover all aspects of environmental health services delivered by councils in Wales. These show that the work of council environmental health teams are broad and far reaching and impact on all residents and visitors in Wales as well as supporting delivery of the Programme for Government and local improvement priorities. The Chartered Institute of Environmental Health and the all Wales Heads of Environmental Health Group has, through its Best Practice Standards, sought to further define the range of statutory and discretionary environmental health services delivered by councils in Wales⁷.
21. The standards are subject to regular review and update to take account of changes in statutory guidance; the impact of new legislation or case law; and to reflect new ways of delivering services. The standards define activity in each of the service areas and set out the characteristics that constitute: a minimum standard service; a good standard of service; and best practice in each of the areas. These broadly reflect the statutory obligations for all environmental health services covering 11 areas of activity. A short summary is set out on each of these in [Appendix 2](#).
22. [Exhibit 2](#) shows that in most environmental health areas the Council is delivering services that are above minimum standard. Overall, the Council is delivering:
- 68.1 per cent of environmental health services to the highest standard compared to an Wales average of 37 per cent;
 - 22.7 per cent assessed as being delivered to a good standard compared to an all Wales average of 30 per cent;
 - 5.2 per cent at the minimum standard of service set compared to an all Wales average of 22 per cent; and

⁶ Welsh Government: <http://wales.gov.uk/about/programmeforgov/about?lang=en>

⁷ Chartered Institute of Environmental Health Wales and all Wales Heads of Environmental Health Group, Best Practice Standards, October 2013.

- 3.9 per cent below the minimum standard (or the standard is not measured by the Council) compared to an all Wales average of 11 per cent.

Exhibit 2: The Council's performance against the Best Practice Standards 2013-14

The Council's environmental health service is mostly delivering well above minimum standard against the Best Practice Standards.

Cardiff	Below Minimum Standard/not measured	Minimum Standard	Good Standard	Best Practice
Communicable Disease Control	0	0	0	7
Food safety Control	0	0	5	13
Health and Safety	0	0	4	11
Recruitment Training and Development	3	3	5	9
Port Health	2	7	15	20
Pest Control	0	0	2	13
Dog Control	0	0	2	15
Pollution Control	2	0	6	37
Licensing	0	0	3	3
Housing	0	0	6	22
Health Improvement	3	2	4	7
Totals	9	12	52	156

Exhibit Source: Wales Audit Office analysis of Welsh councils' performance in delivering the Best practice Standards, 2013-14.

Between 2011-12 and 2013-14 the Council cut environmental health budgets and staff but the level of reduction is below the average for Welsh councils

- 23. In this part of the report, we examine the reduction in the budgets for council environmental health services over the last three years and the impact of these changes on staff numbers and roles. The amount of money that councils spend on environmental health services is very small, relative to total local government spend. In 2012-13, councils in Wales spent £9,085 million on the services they provide, of which £40.8 million was spent on Environmental Health services. This equates to 0.44 per cent of all council expenditure. The combined budgets for all council environmental health services in 2011-12 were £41.2 million. This fell to £40.8 million in 2012-13 and to £39.5 million in 2013-14. This equates to a fall of 4.2 per cent between 2011-12 and 2013-14.
- 24. With regard to the Council, the budget for environmental health services in this period has fallen by 6.25 per cent, the ninth largest cut in expenditure for all councils⁸. In addition, the Council also overspent against its environmental health budget in 2011-12 by 1.08 per cent, but underspent by 3.8 per cent in 2012-13.

Exhibit 3: Percentage difference between budgets set in 2011-12 and 2013-14

The Council has had the ninth largest budget cut in environmental health resources.

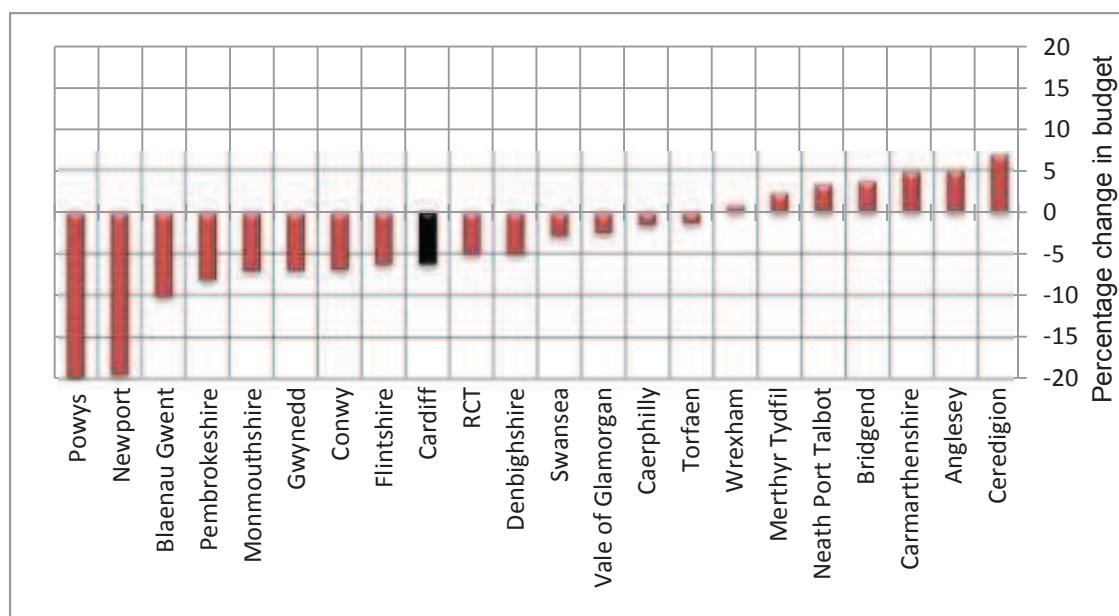


Exhibit Source: Wales Audit Office analysis of Welsh councils’ environmental health budget and staffing for the period 2011-12 to 2013-14.

⁸ Budgets for environmental health services include ‘back office’ support activities provided by other directorates and costs are recharged to environmental health through an apportionment model and include their associated overheads (furniture, equipment, IT, etc).

25. **Exhibit 4** shows that between 2011-12 and 2013-14, the Council has seen the greatest reductions in budgets set in its pest control; housing; and health and safety budgets. Some budgets have seen an increase, most notably pollution control. Overall, however, the Council has reduced expenditure on environmental health services by 6.25 per cent, higher than the average of all Welsh councils of 4.18 per cent.

Exhibit 4: Comparison of the change in Best Practice Standards budget between 2011-12 and 2013-14

The Council has reduced expenditure on environmental health services by 6.25 per cent in the last three financial years.

Best Practice Standard Area	All Wales % change in budget	Cardiff % change in budget
Recruitment Training and Development	28.8%	0%
Health Improvement	13.7%	0%
Port Health	2.6%	-7.2%
Dog Control	1.6%	-3.4%
Food Safety Control	1.2%	0.6%
Pollution Control	-3%	7%
Housing	-4.7%	-26.8%
Communicable Disease Control	-7%	0%
Health and Safety	-11.7%	-25.7%
Licensing	-17.5%	-14.4%
Pest Control	-18.9%	37.2%
Total	-4.18%	-6.25%

Exhibit Source: Wales Audit Office analysis of Welsh councils' environmental health budget and staffing for the period 2011-12 to 2013-14.

26. A council's workforce is one of its greatest assets and a significant proportion of council expenditure is on staffing. At a time of financial pressures, balanced budgets are often achieved mainly by reducing staff numbers through voluntary early release and vacancy management, where staff that leave are not replaced. This trend is set to continue as councils look to further reduce staff costs as part of their strategies for achieving additional budget reductions.

27. From our analysis of councils' staff resources, we found that 16 of the 22 councils had cut their environmental health staff numbers between 2011-12 and 2013-14. Nationally, the number of council employees working in environmental health services in all 22 councils has fallen from 1,046 in 2011-12 to 874 in 2013-14. The number of staff employed by the Council to deliver environmental health services has also fallen from 83 full time equivalents in 2011-12, to 75 in 2013-14. This equates to a reduction in of 10.6 per cent, the second highest fall between 2011-12 and 2013-14 – **Exhibit 5**.

Exhibit 5: Percentage difference in staff numbers in 2011-12 and 2013-14

Sixteen councils have reduced the number of staff employed to deliver environmental health services since 2011-12 and the Council has cut its staff numbers by 10.6 per cent.

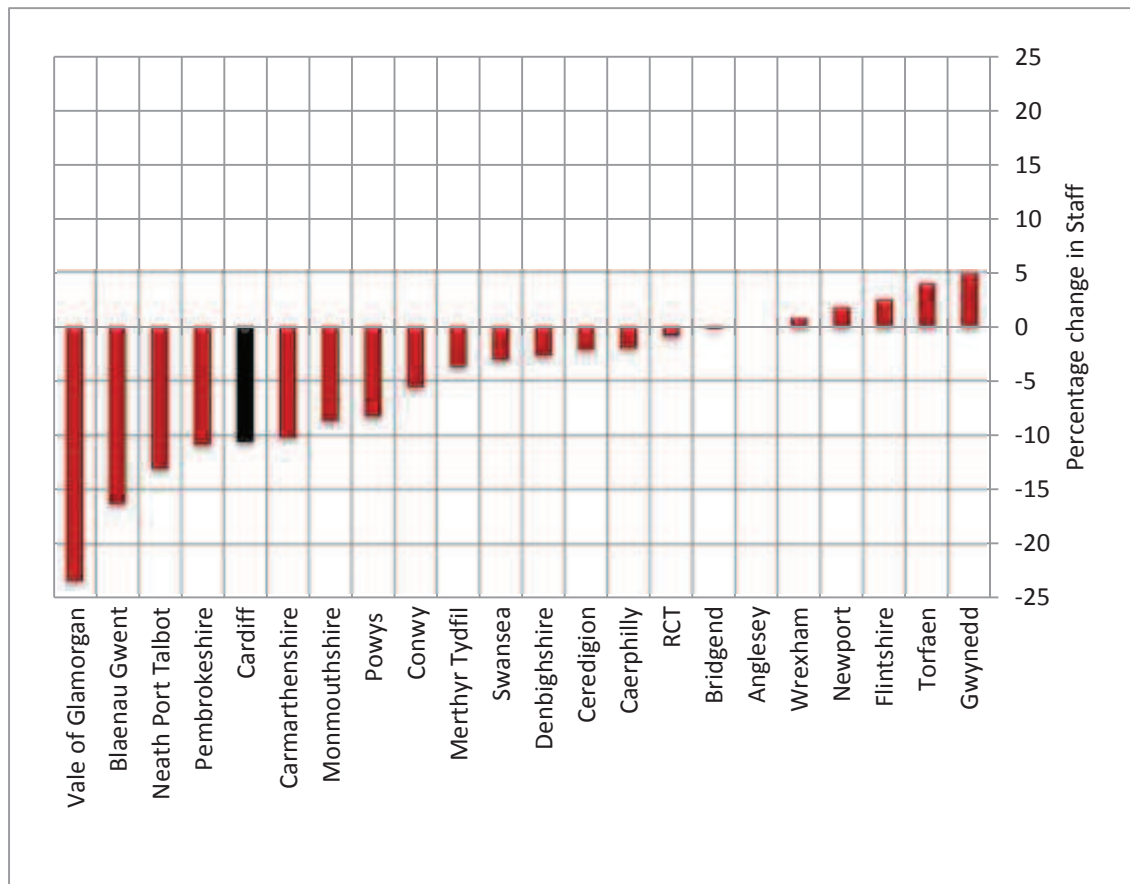


Exhibit source: Wales Audit Office analysis of Welsh councils' environmental health budget and staffing for the period 2011-12 to 2013-14

28. **Exhibit 6** shows that the Council has seen greater reductions than the Welsh average for administrative staff, but all other changes have been below the Welsh average and there has been no reduction in managers/team leaders and lower reductions in posts. The 10.6 per cent reduction in environmental health staff numbers in the Council is also below the overall Welsh average reduction of 16.4 per cent for all councils.

Exhibit 6: Comparison of the number of full-time equivalent Environmental Health Staff by function between 2011-12 and 2013-14

The number of full-time equivalent staff employed by the Council to deliver Environmental Health services fell by 10.6 per cent between 2011-12 and 2013-14.

Staff Function	All Wales % change in staff	Cardiff % change in staff
Manager/Team leader	-18.8%	0%
Qualified EHO	-13.3%	-10%
Technician	-16.6%	-7.5%
Administrator	-19.6%	-20.8%
Trainee (Paid)	-62.5%	-50%
Trainee (Unpaid)	0%	0%
Total	-16.4%	-10.6%

Exhibit Source: Wales Audit Office analysis of Welsh councils' environmental health budget and staffing for the period 2011-12 to 2013-14.

Survey respondents are mostly negative about the current standard of environmental health service and there is a low awareness of current performance or future plans

29. Carrying out surveys of the views of staff, elected members and citizens can be valuable in providing an insight into the relative strengths or weaknesses of the service and the scope for improvements. For this work, we undertook a survey of all local authority environmental health staff and all elected members between December 2013 and January 2014. We received 599 responses from council environmental health staff (62.7 per cent of those surveyed) and 206 responses from elected members (17.6 per cent of those invited to respond). We also made available and promoted an on-line survey for Welsh citizens. The survey began on 5 December 2013 and closed on 4 March 2014 and we received 572 responses.
30. For the staff survey, we report the findings specific to the Council comparing responses from Council employees with the Welsh survey average. Given the size of the respondent base, for the elected member and citizen survey we only report findings at an all Wales level.

-
31. Our survey of environmental health staff found that 90 per cent of Council staff respondents felt they fully understood the requirements of their job. However, only 57 per cent strongly agreed or agreed that they had received sufficient training to do a good job, well below our survey average of 78 per cent. Only 36 per cent of Council staff responding to our survey strongly agreed or agreed that they had enough time to do all the work that is required, broadly the same as the all Wales staff survey average of 35 per cent.
 32. A much smaller proportion of staff respondents agreed that the quality of the Council's environmental health services are improving than the Welsh survey average, 22 per cent for the Council compared to the all Wales average of 47 per cent. Likewise, only 51 per cent of Council staff respondents felt that the environmental health service met all of its statutory obligations, lower than the all Wales average of 63 per cent.
 33. Our surveys found that whilst councillors are receiving information and deciding on budget cuts in environmental health services, a significant proportion – 46 per cent – are unclear on the impact of their decisions and whether services are able to continue to deliver in the future. 70.4 per cent of councillors responding to our survey believe that their council's environmental health services are meeting their statutory obligations and 69.4 per cent that these services are improving.
 34. Only 26 per cent of staff respondents in the Council felt that senior managers communicated their plans effectively to staff. This is lower than the all Wales survey average of 38 per cent. Similarly, only 33 per cent of Council respondents felt that councillors and senior managers recognise the importance of environmental health services, lower than the all Wales average of 51 per cent. A smaller proportion of staff also felt that the Council encouraged them develop new and more efficient ways of working, 39 per cent compared to the all Wales survey average of 54 per cent.
 35. With regard to members of the public, the people who receive these services, we found a mixed picture of how informed they feel about the changes taking place. We found that most respondents have yet to see a significant change in how their council provides services to them. For example, 69 per cent felt that the speed of response when requesting a service remained quick and only 28.3 per cent felt that it took longer to deal with their query. Only 27.7 per cent stated that they are now paying for services that were provided free in the past and only 16.6 per cent that the charge for the service had increased. Only 15.9 per cent stated that the service they requested was no longer provided.
 36. Whilst 90.5 per cent of citizens who responded to our survey are aware that councils have to cut how much they spend on the services they provide, only 33 per cent believe that they have been informed on where the council plans to make savings and reduce expenditure and a large proportion – 45.6 per cent – state they did not know what their council planned to do and where cuts in services are planned.
 37. Only 17.4 per cent of respondents feel they know how reductions in budgets will affect them with regard to the services they receive, compared to 53.3 per cent who claim they have not been informed. In addition, only 26 per cent of respondents believe that their council keeps them informed of how well the services they receive are performing. Only 24 per cent of respondents to our survey believe their council has

effectively engaged with them on future plans and are clear how future cuts will affect them.

- 38.** Bridgend, Cardiff and Vale of Glamorgan are planning to create a single regulatory service covering environmental health, trading standards and licensing. Each council is considering the business case for this new regional service which, if approved, is planned to be established in the autumn of 2015-16. The business case highlights that combining these services will result in savings of between £1.1 million and £1.3 million for the three councils.

Appendix 1

Council Improvement Objectives 2013-14 relating to environmental health services

Council	Improvement Objective
Blaenau Gwent	<ul style="list-style-type: none">To provide a clean and pleasant environment to enjoy and be proud of, by listening to our citizens and visitors and promoting what we do.
Bridgend	<ul style="list-style-type: none">Working together to tackle health issues and encourage health lifestyles.
Caerphilly	<ul style="list-style-type: none">Improve the availability of private and public sector housing to reduce the number of residents who may become homeless.
Carmarthenshire	<ul style="list-style-type: none">Improve the Council housing stock and assist local people to gain access to rented and affordable homes.Protect and enhance the environment and make a major contribution to sustainable energy and climate change policies.
Conwy	<ul style="list-style-type: none">People in Conwy are safe and feel safe.People in Conwy live in safe and appropriate housing.People in Conwy are healthy and independent.
Denbighshire	<ul style="list-style-type: none">Ensuring access to good quality housing.
Flintshire	<ul style="list-style-type: none">To meet housing need in the County and to work with partners to ensure a sufficient supply of quality and affordable homes and housing services in the social, mixed tenure and private sector housing markets.To protect, plan and develop sustainable natural and built environments.
Gwynedd	<ul style="list-style-type: none">Promoting an appropriate supply of housing for local people.
Isle of Anglesey	<ul style="list-style-type: none">Increase our Housing Options and reduce Poverty.
Merthyr Tydfil	<ul style="list-style-type: none">Active Lifestyles - People in Merthyr Tydfil are physically active and as a result have improved health.Sustainable Environment - People in Merthyr Tydfil will live in communities that are sustainable, clean and energy efficient.
Monmouthshire	<ul style="list-style-type: none">We want to work with our residents to reduce the impact we have on the environment and use our resources more sustainably.
Newport	<ul style="list-style-type: none">Disabled Facilities Grants (DFGs) - To provide an enhanced programme of Disabled Facilities Grants with the aim of reducing average delivery time from first date of contact.

Council	Improvement Objective
Rhondda Cynon Taf	<ul style="list-style-type: none"> Public health and protection – protecting people from harm and tackling anti-social behaviour – this was called Enforcement and Regulation in previous years and has been re-titled to better reflect the main outcomes to be achieved.
Swansea	<ul style="list-style-type: none"> Help people adopt and develop healthy and sustainable lifestyles in order to improve health. Improve Housing and Housing supply in order to increase the availability of good quality, affordable housing.
Torfaen	<ul style="list-style-type: none"> Ensure the local environment is safe, managed and maintained.
Vale of Glamorgan	<ul style="list-style-type: none"> To reduce the time taken to deliver disabled facilities grants to children and young people and to adults to achieve the Welsh average performance of 2011/12 as a minimum.
Wrexham	<ul style="list-style-type: none"> All people are enabled to make healthy choices. Homes that meet people’s needs and aspirations. An environmentally responsible place.

Appendix 2

The Best Practice Standards 2013-14

Best Practice Standards

Communicable Disease Control – Councils have statutory responsibility for notifiable infectious disease in their locality (which includes the control of food poisoning) under the Public Health (Control of Disease) Act 1984. Certain infectious diseases are notifiable to Public Health Wales and these are investigated by the Consultant in Communicable Disease Control (CCDC) or by officers of the local authority to try to prevent the spread of illness within the community and to try and establish possible causes.

Food Safety Control – Councils are responsible for the routine inspection of food premises located within their area and for the on-going enforcement of relevant food law. Duties include investigating complaints made by the public about food and food premises; undertaking food surveillance sampling; providing advice on all food safety matters to the public and the food industry; and providing reports to the Licensing Board in relation to licensed premises.

Health and Safety – Health and safety enforcement is split between local authorities and the Health and Safety Executive (HSE). Local authorities tend to cover most service and retail premises within an area and the HSE larger premises such as factories. Local authorities carry out health and safety inspections and investigate complaints about workplaces.

Recruitment, Training and Development – Provision of learning and development opportunities to equip staff to deliver their job more effectively. For environmental health, this includes Continual professional Development or CPD; the means by which environmental health staff maintain their knowledge and skills related to their profession. This is especially important for environmental health services because Environmental Health Officers (EHOs) are often required to provide evidence in court cases and qualified EHOs need to satisfy the court that their knowledge is up to date and of sufficient breadth for them to be considered an authoritative expert witness.

Port Health – The UK imports just under 50 per cent of its overall food requirements. Consequently, it is important that public health safeguards are established and maintained for the commercial use of shipping and the Public Health (Control of Disease) Act 1984. For some local authorities this is an important area of work and includes the inspection of shipping, including passenger vessels, to ensure public health standards are met; investigating reported sickness amongst ship's company or passengers; and inspecting foodstuffs and products of animal origin.

Pest Control – Councils often offer a pest control service for homes and commercial premises. They can provide treatments to control rats, mice, cockroaches and bedbugs. Some services are chargeable and whilst the service is important in dealing with pests that are perceived to be detrimental to a person's health, the ecology or the economy, not all councils provide these services.

Best Practice Standards

Dog Control – Councils deal with complaints from members of the public about dog fouling, stray dogs, nuisance dogs and dangerous dogs. Councils in Wales also have the power to create specific dog control orders through the Dog Control Orders (Miscellaneous Provisions) (Wales) Regulations 2007.

Pollution Control – Councils provide a specialist range of monitoring, investigation and enforcement services covering air pollution and air quality; contaminated land; and noise and vibration. This work can include review and assessment of air quality; identification and regulation of contaminated land; routine monitoring of landfill gas at closed council landfill sites; noise and vibration measurements and analyses; regulation of industrial processes; investigation of complaints concerning industry; provision of environmental data and information; and provision of advice and technical support for the Building Regulation, regeneration and development control processes.

Community Safety – Community safety is not just an issue for police and fire and rescue authorities. Councils contribute in a variety of ways, including the work of environmental health services. For example, regulation, licensing and trading standards through the provision of alcohol and entertainment licenses to help maintain public order, food hygiene certification for businesses to prevent food poisoning.

Public Health - Public health is about helping people to stay healthy and avoid getting ill. Responsibility for many Public Health functions rests with Councils and includes advice and information on a whole range of health services such as immunisation, healthy eating, tobacco and alcohol, drugs recovery, sexual health and mental health issues.

Licensing – Council licensing services cover a wide range of activities, events and services, most of which we encounter during our day-to-day life. In terms of environmental health licensing relates to visits and inspections carried out of specific licensed premises and services that impact on the health of citizens and livestock, including premises licensed for animal welfare purposes or acupuncture, tattooing, cosmetic piercing and electrolysis.

Housing – All landlords have a legal responsibility to maintain their properties and ensure they are let in a good state of repair. The property must be free from all serious health and safety hazards. Where the landlord fails in this duty, councils will inspect the property using the Housing Health and Safety Rating System (HHSRS) and where necessary enforce that the landlord removes the hazard(s) from the property. Councils must also run a licensing scheme for certain types of high-risk houses in multiple occupation (HMO). Various acts of Parliament also give councils discretionary powers to resolve unsatisfactory conditions in houses, HMOs and flats, and to reduce the impact of long-term empty properties. Councils also deliver capital improvement work to private sector housing through renewal areas and group repair schemes, as well as provide Disabled Facilities Grants to support people to live independently.

Exhibit Source: Best Practice Standards, October 2013.

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March 3rd 2015

Delivering with Less – Environmental Health

Findings of the WAO Study

Nick Selwyn

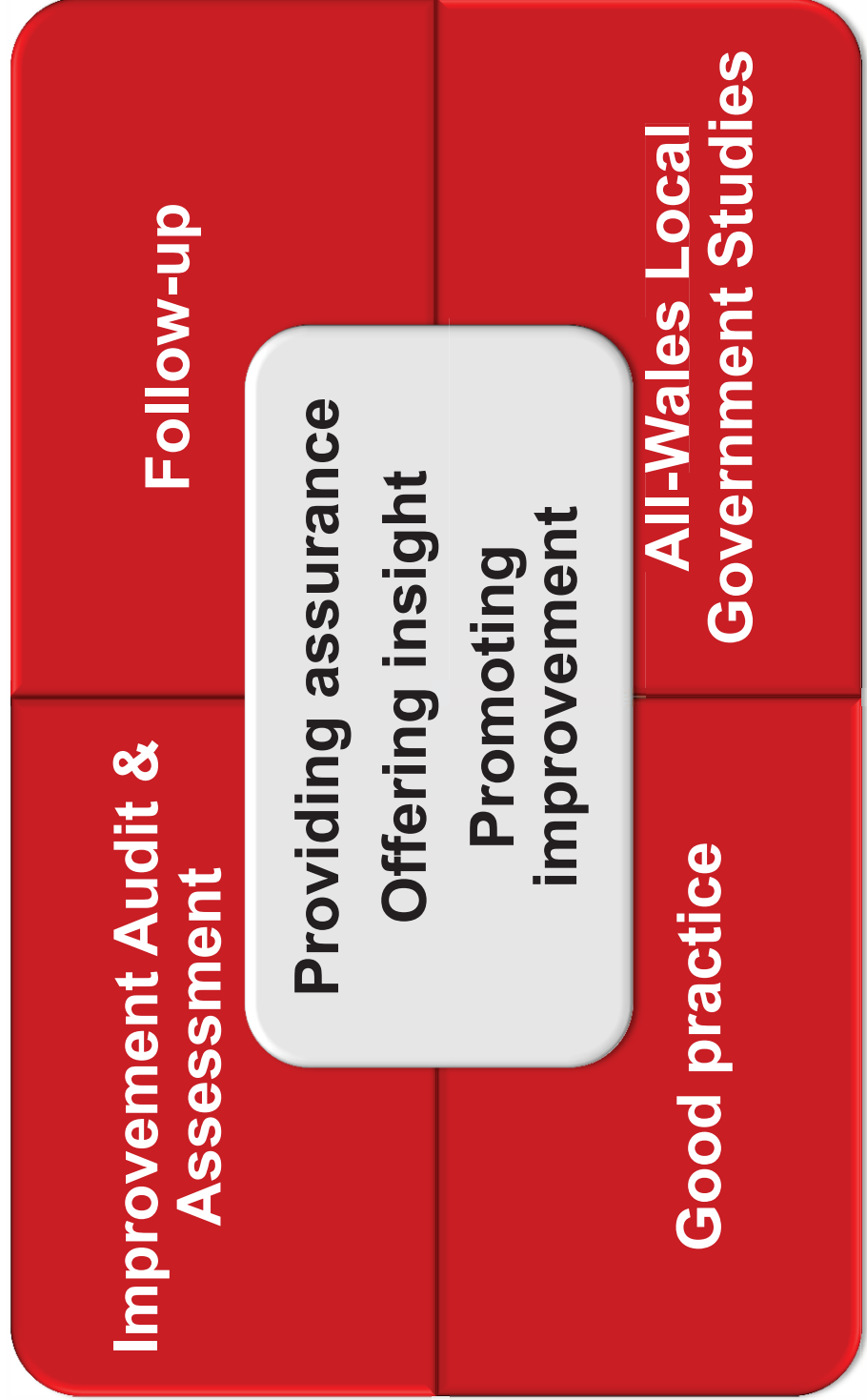
#myhealthytown





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Work of the Wales Audit Office





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Our work



We surveyed

954 council staff, and received

599 (62.7%) responses;

1,167 councillors, and received

206 (17.6%) responses; and made available an on line survey for citizens

and received **572** responses.

We completed detailed fieldwork at **22** councils

We completed an assessment of each council against the **CIEH** Best Practice Standards.

We completed a detailed analysis of **revenue expenditure** and **staff** data at each Council against the Best Practice Standards





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Councils have many statutory environmental health duties but spending is not being protected during the current period of financial austerity, which is making it more difficult to deliver national strategic priorities





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Why Environmental Health is important



- It impacts on everyone living in Wales.
- It contributes to many national strategic policy agendas – public health, housing conditions, independence of vulnerable people, community well-being, etc.
- It is regularly highlighted as an important council service by citizens.
- If it goes wrong or is not prioritised it can be extremely serious.....



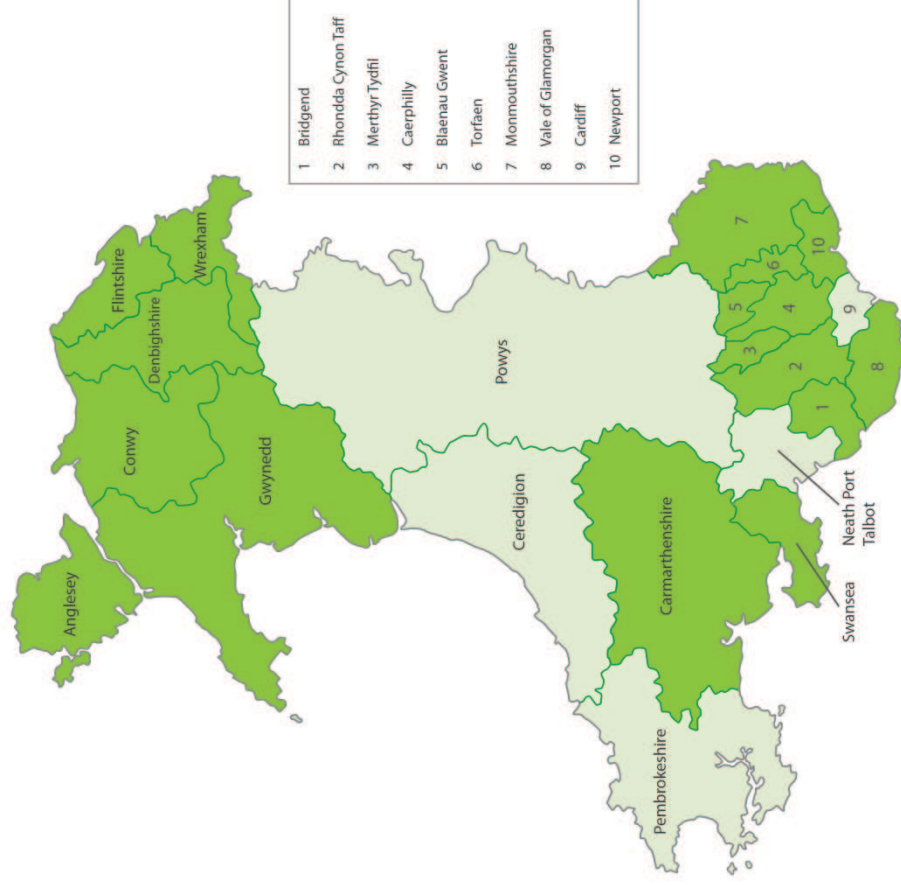


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Many Welsh Councils have set Environmental Health improvement objectives



- 17 councils have identified Environmental Health work as an improvement objective in 2013-14:
 - Improving quality, condition and/or affordability of housing – 11
 - Improving/protecting the environment – 7
 - Health improvement – 5
 - Public health & protection – 1





Growing statutory responsibilities



- Welsh Government has recently introduced and is planning significant new legislation that will impact on councils' environmental health teams:
 - The Housing (Wales) Act 2014:
 - improved standards and management in the private rented sector by the introduction of a mandatory registration and licensing scheme.
 - reduced levels of homelessness by placing its prevention at the centre of local authority duties to help people at risk.
 - fewer long term empty properties by encouraging owners to sell or rent them – thereby helping to increase housing supply.
 - *Listening to you: Your health matters White Paper*



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By Environmental Health we mean the Best Practice Standards



- Communicable Disease Control
- Food Safety Control
- Health and Safety
- Recruitment Training and Development
- Port Health
- Pest Control
- Dog Control
- Pollution Control
- Licensing
- Housing



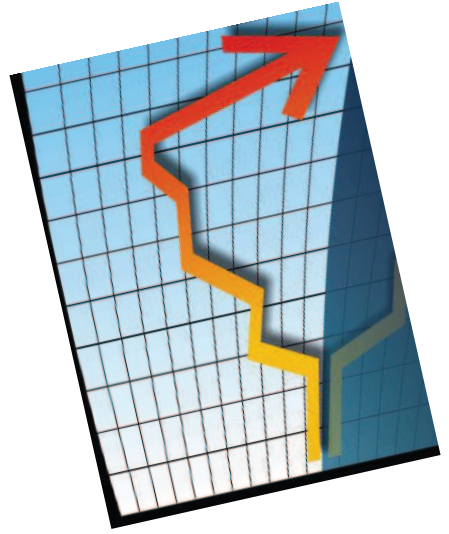
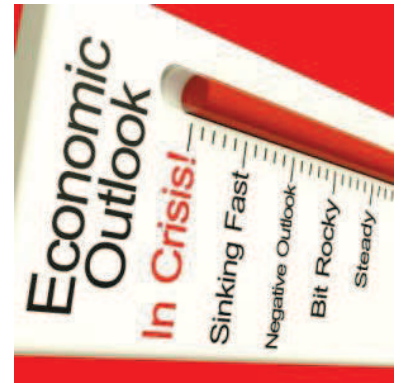
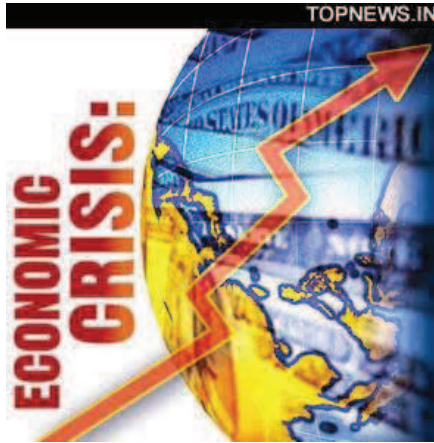
Chartered Institute of
**Environmental
Health**

Sefydliad Siartredig
**lechyd yr
Amgylchedd**



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The Context ... Once upon a time there was a fiscal crisis.....





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That resulted in the Comprehensive Spending Reviews.....



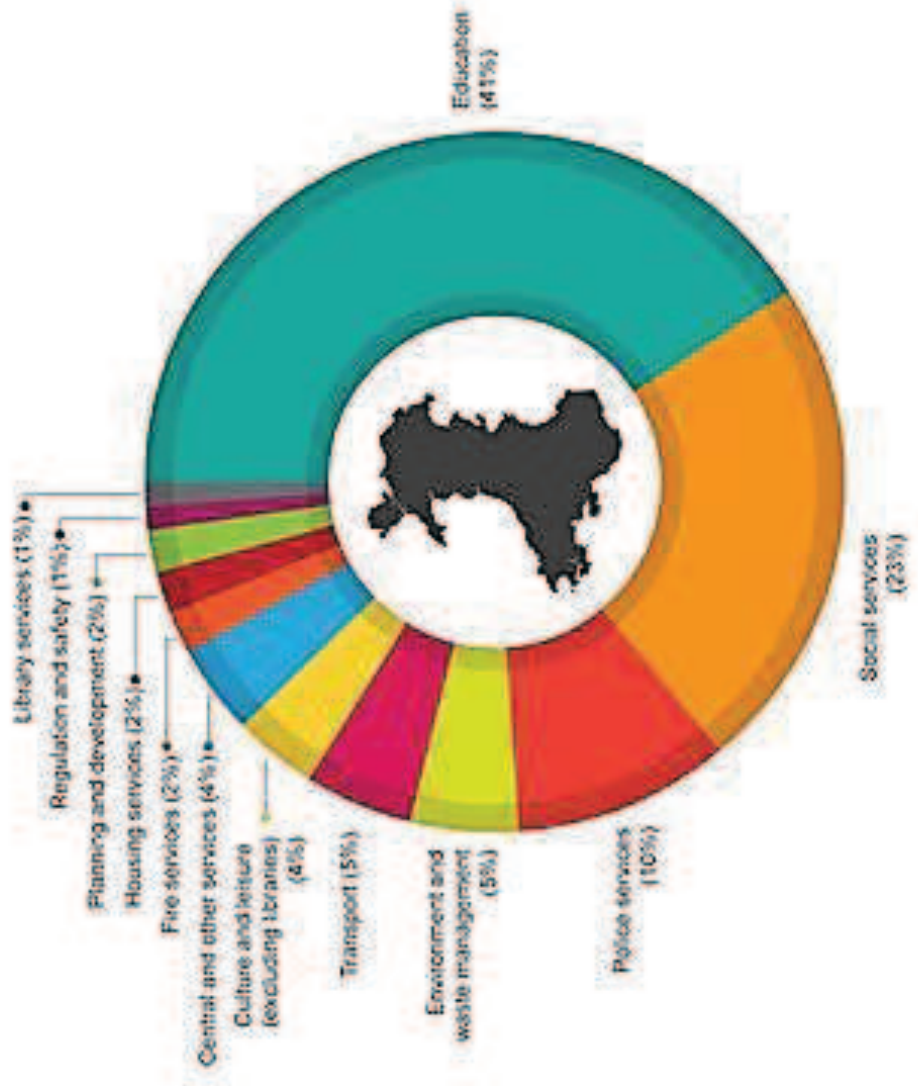
Which means cuts in local government funding.....





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Council revenue expenditure 2013-14 by service area





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Between 2011-12 and 2013-14 the Council cut environmental health budgets and staff but the level of reduction is below the average for Welsh councils



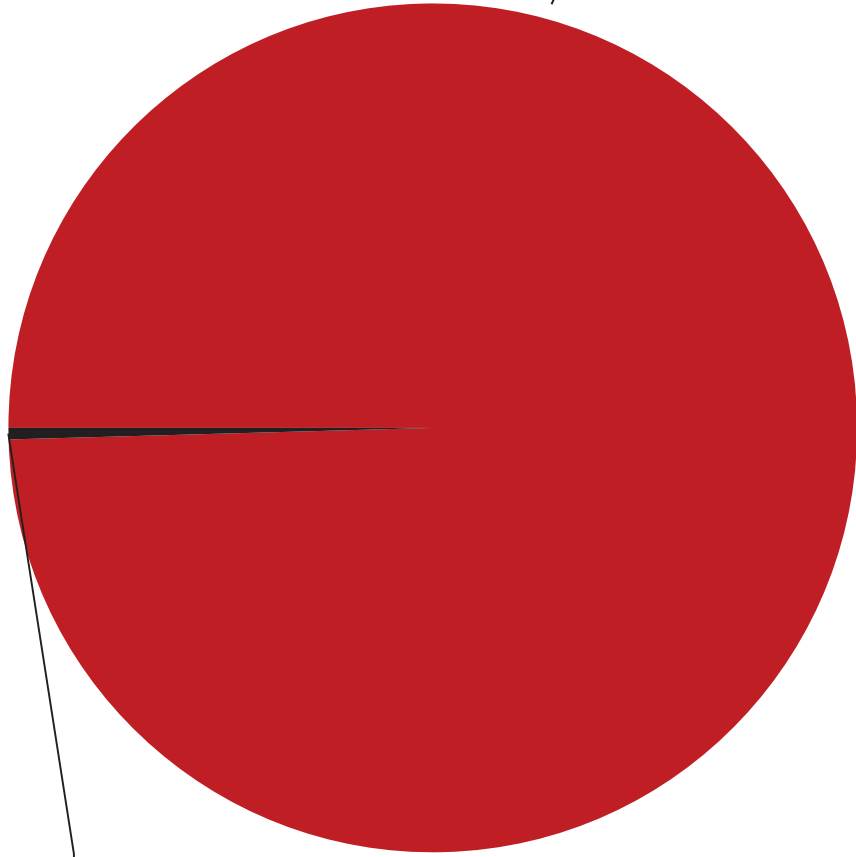


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Environmental Health Revenue Expenditure in Wales as a proportion of Revenue Budgets in 2012-13



Environmental
Health,
£39,500,000

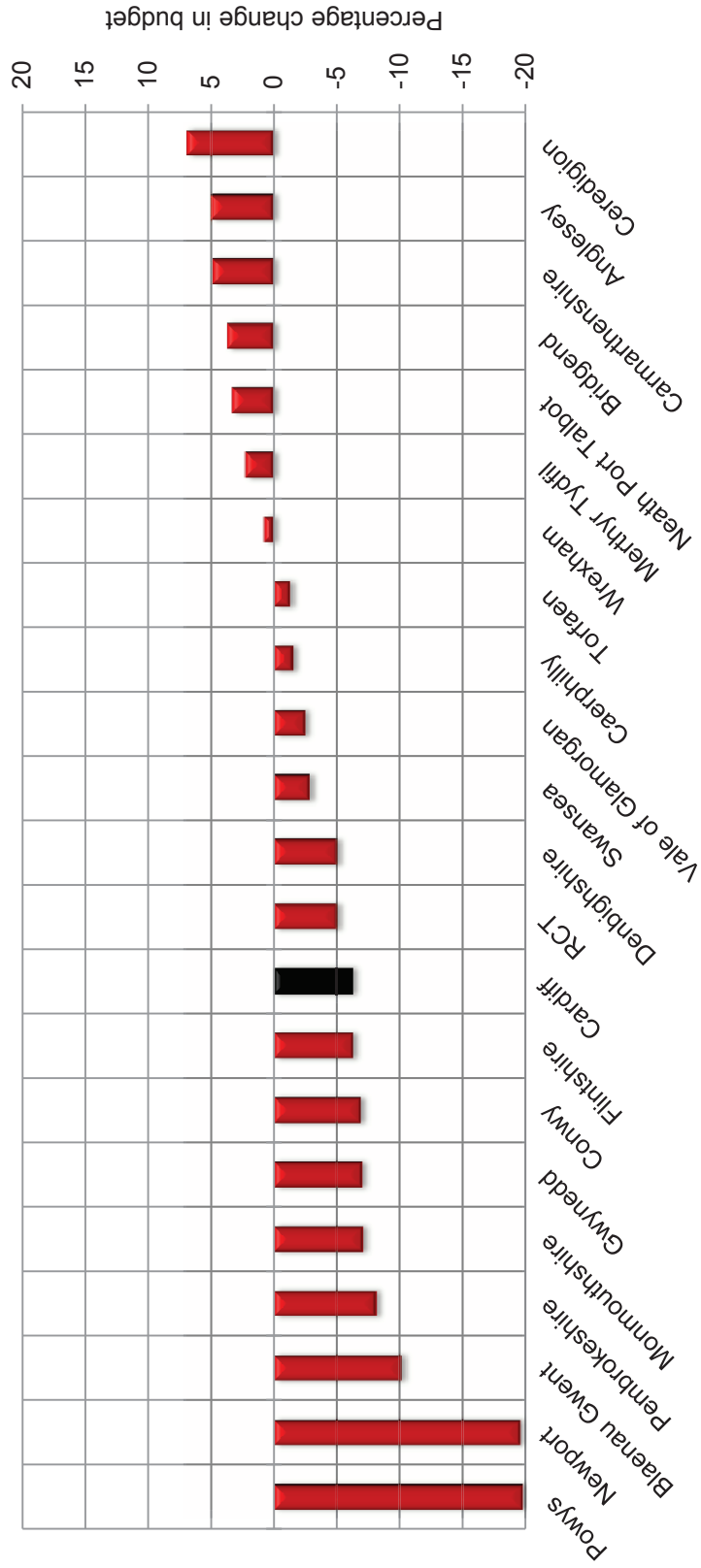


All Council
services,
£9,047,000,000



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Percentage difference between budgets set in 2011-12 and 2013-14





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All Wales budgets by Environmental Health Area 2011-12 to 2013-14



Best practice Standard Area	2011-12	2012-13	2013-14	% </>
Recruitment Train & Develop	£379,863	£435,000	£489,548	28.8%
Health Improvement	£936,212	£945,997	£1,065,007	13.7%
Port Health	£411,577	£430,111	£422,254	2.6%
Dog Control	£2,455,739	£2,494,031	£2,494,063	1.6%
Food Safety Control	£8,296,373	£8,391,288	£8,396,251	1.2%
Pollution Control	£9,937,479	£9,882,211	£9,645,695	-3%
Housing	£8,896,846	£9,051,050	£8,497,075	-4.7%
Communicable Disease Control	£1,037,575	£1,022,821	£964,553	-7%
Health and Safety	£4,189,796	£3,890,605	£3,696,163	-11.7%
Licensing	£2,021,256	£1,735,304	£1,668,449	-17.5%
Pest Control	£2,638,487	£2,606,370	£2,138,510	-18.9%



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All Wales budgets by Environmental Health Area 2011-12 to 2013-14

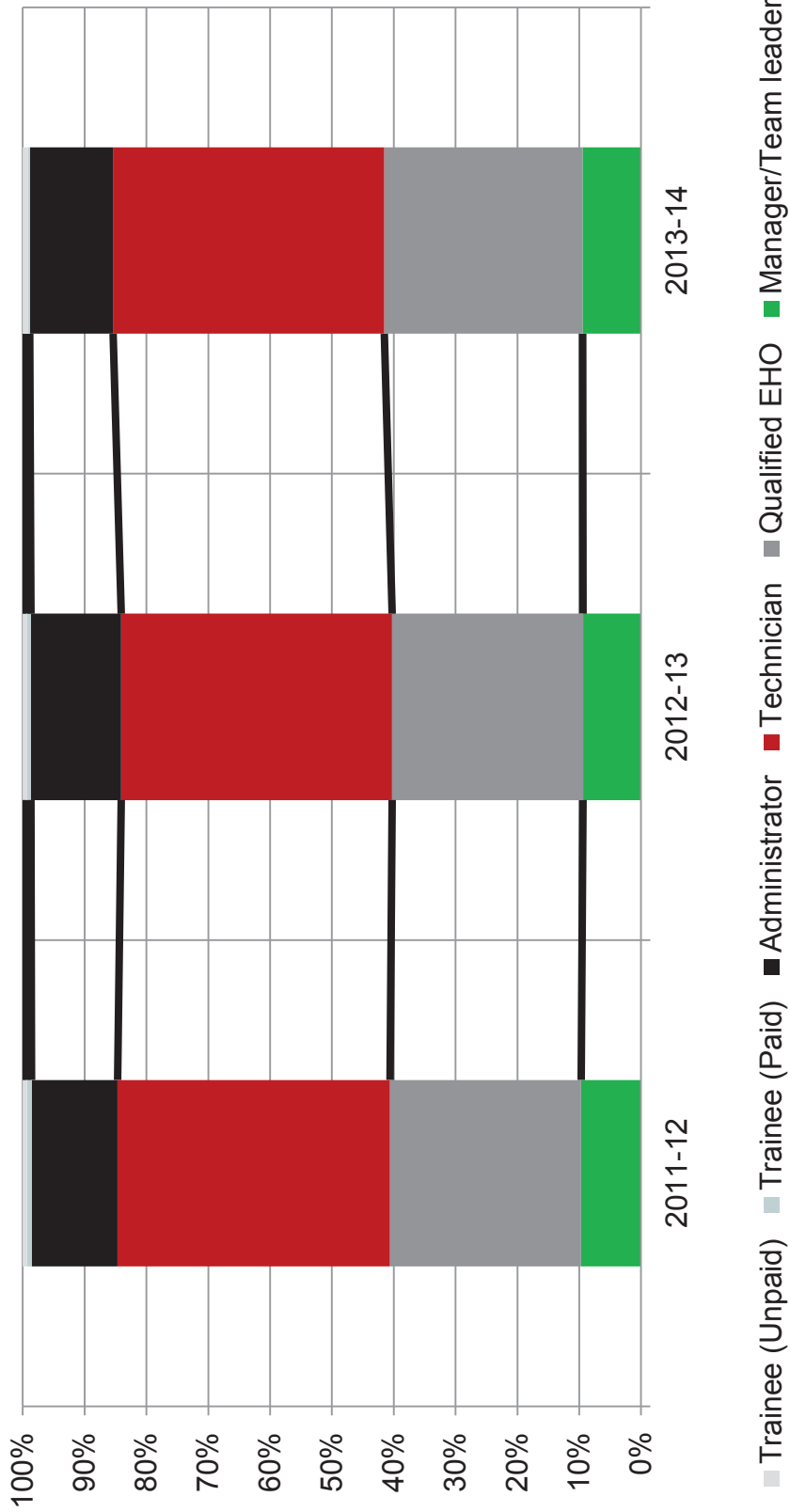


Best Practice Standard Area	All Wales % change in budget	Cardiff % change in budget
Recruitment Training & Development	28.8%	0%
Health Improvement	13.7%	0%
Port Health	2.6%	-7.2%
Dog Control	1.6%	-3.4%
Food Safety Control	1.2%	0.6%
Pollution Control	-3%	7%
Housing	-4.7%	-26.8%
Communicable Disease Control	-7%	0%
Health and Safety	-11.7%	-25.7%
Licensing	-17.5%	-14.4%
Pest Control	-18.9%	37.2%
Total	-4.18%	-6.25%



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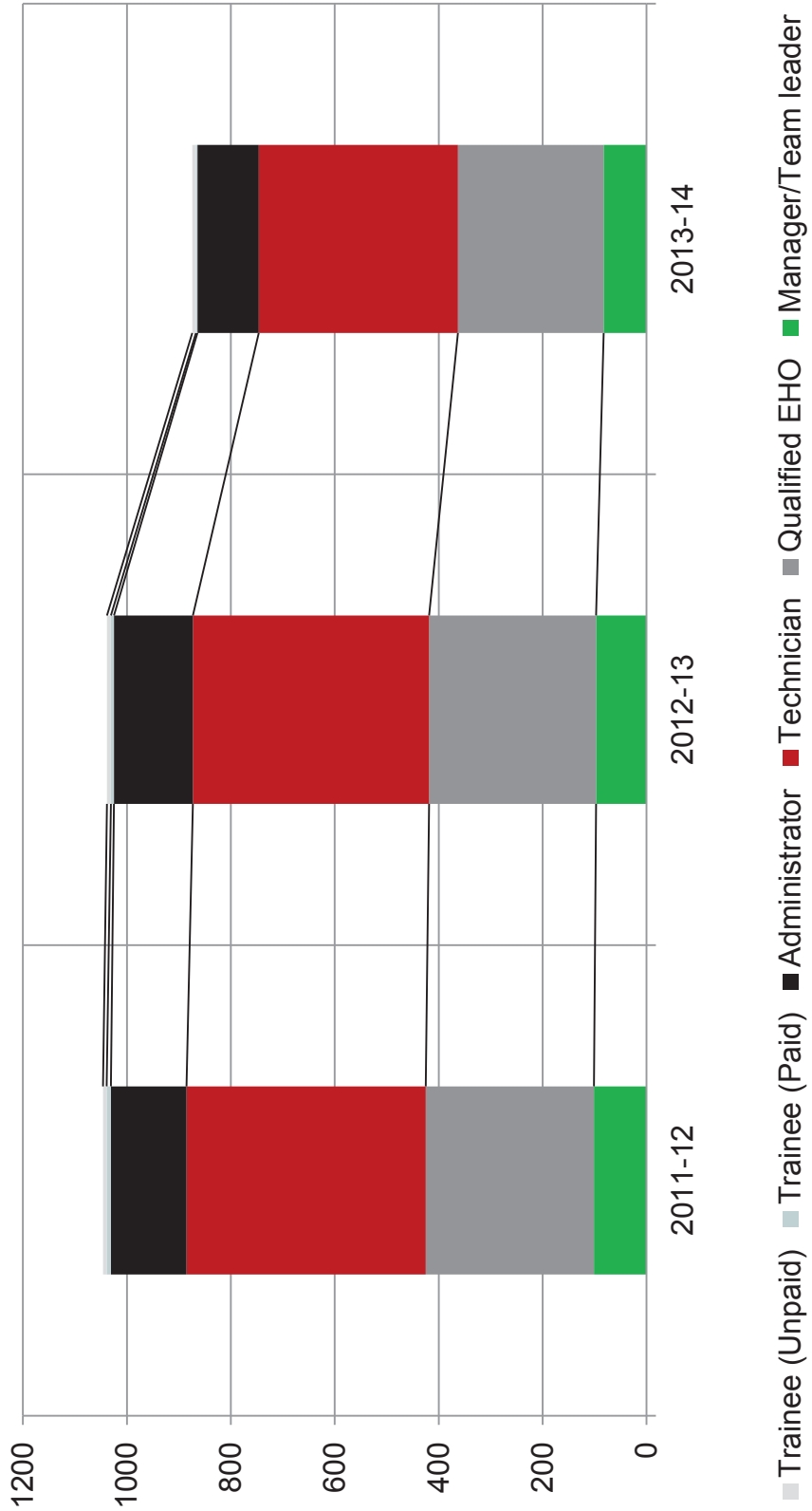
Environmental Health Staff by function 2011-12 to 2013-14





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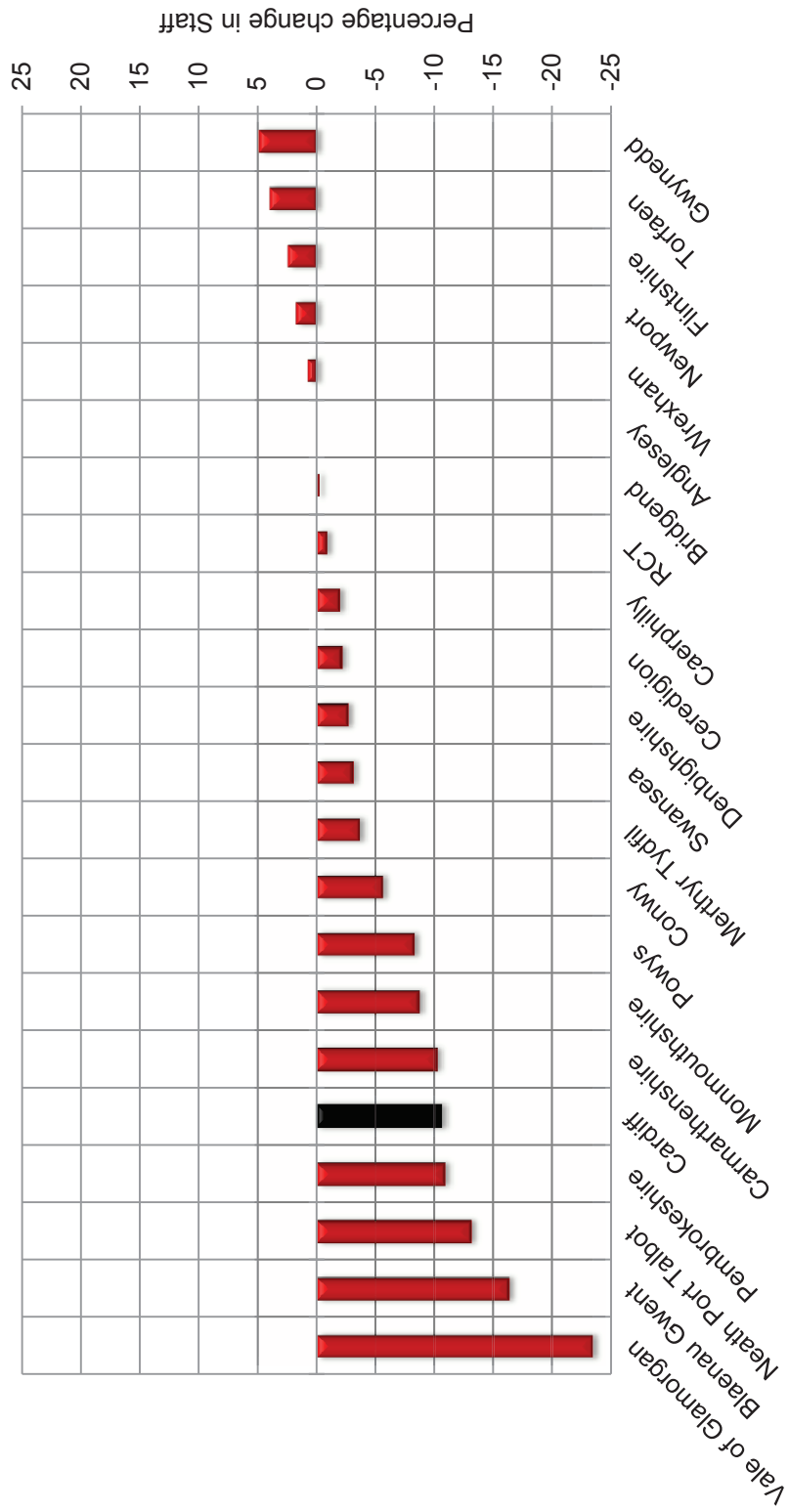
Environmental Health Staff by function 2011-12 to 2013-14





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Environmental Health Staff by function 2011-12 to 2013-14





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All Wales Environmental Health staff by area 2011-12 to 2013-14



Staff Function	2011-12	2012-13	2013-14	% </>
Trainee (Unpaid)	7.00	7.50	7.00	0%
Qualified EHO	323.31	320.98	280.36	-13.3%
Technician	460.79	454.98	383.56	-16.7%
Manager/Team leader	101.55	97.33	82.61	-18.6%
Administrator	145.43	151.7	117.54	-19.2%
Trainee (Paid)	8.00	6.00	3.00	-62.5%
Total	1,046.08	1,038.49	874.07	-16.4%



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Cardiff Environmental Health staff by area 2011-12 to 2013-14



Staff Function	All Wales % change in staff	Cardiff % change in staff
Manager/Team leader	-18.8%	0%
Qualified EHO	-13.3%	-10%
Technician	-16.6%	-7.5%
Administrator	-19.6%	-20.8%
Trainee (Paid)	-62.5%	-50%
Trainee (Unpaid)	0%	0%
Total	-16.4%	-10.6%



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The Council is delivering most
of its environmental health
services at the highest levels
as judged against the Best
Practice Standards





Best Practice Standards

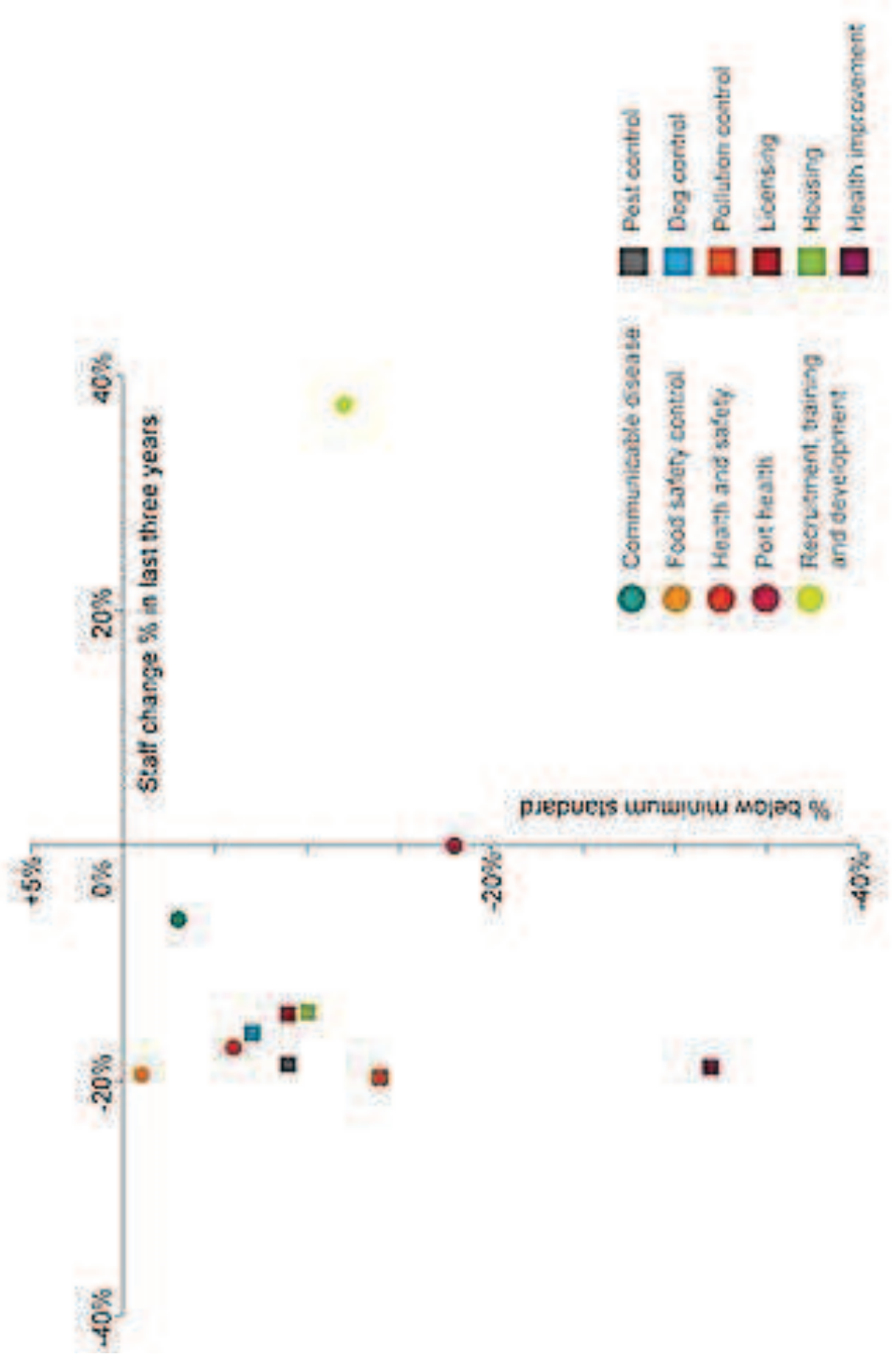


- In most areas councils are continuing to deliver services that are above minimum standard.
- The areas where performance is assessed as having significant proportions below minimum standards are:
 - Health Improvement
 - Pollution control
 - Recruitment, training and development
 - Housing
- This indicates that in most areas councils are continuing to maintain performance despite reductions in funding and staff numbers.



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Best Practice Standards





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The Council's performance against the Best Practice Standards 2013-14



Cardiff	Below Minimum Standard/ not measured	Minimum Standard	Good Standard	Best Practice
Communicable Disease Control	0	0	0	7
Food safety Control	0	0	5	13
Health and Safety	0	0	4	11
Recruitment Training and Development	3	3	5	9
Port Health	2	7	15	20
Pest Control	0	0	2	13
Dog Control	0	0	2	15
Pollution Control	2	0	6	37
Licensing	0	0	3	3
Housing	0	0	6	22
Health Improvement	3	2	4	7



Survey respondents are
mostly negative about the
current standard of
environmental health service
and there is a low awareness
of current performance or
future plans



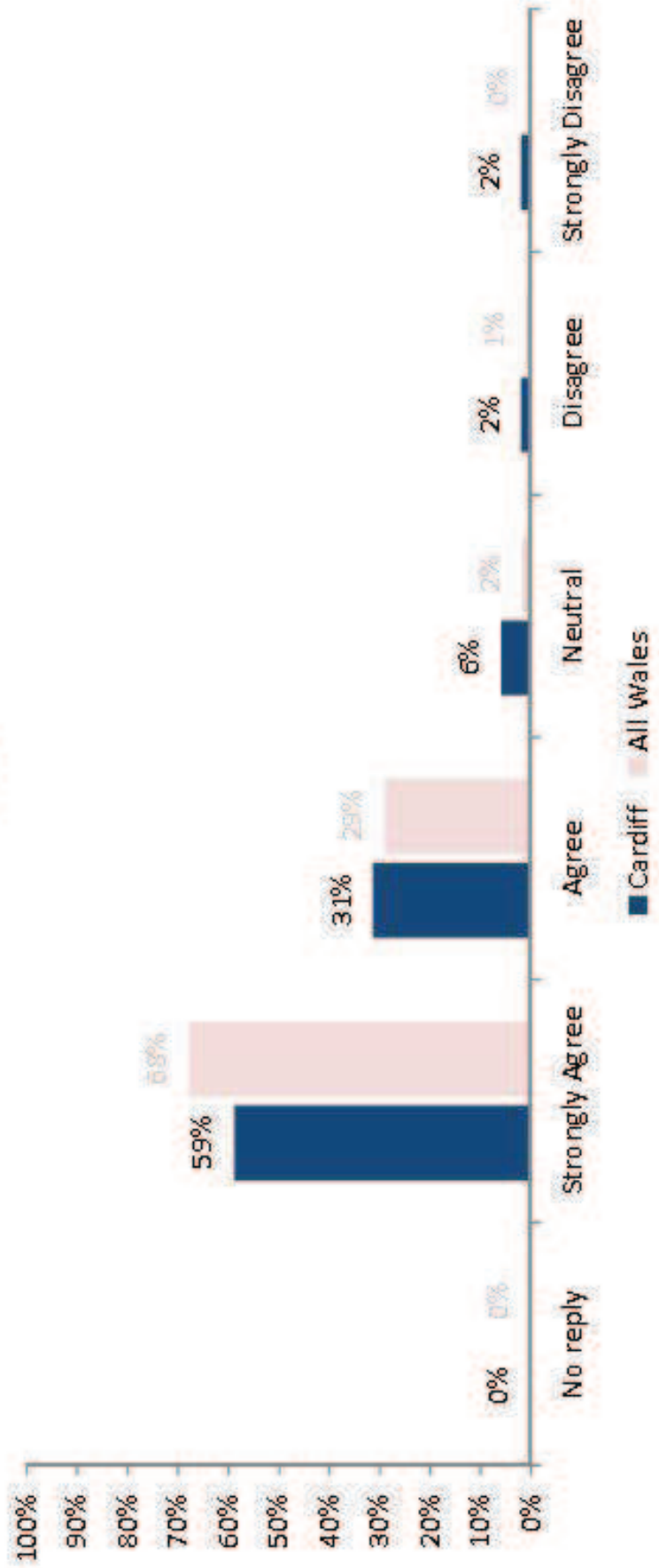


Staff Survey Findings



Environmental Health Services: staff survey - Cardiff

Q4. I know the requirements of the job and what I am expected to do on a daily basis

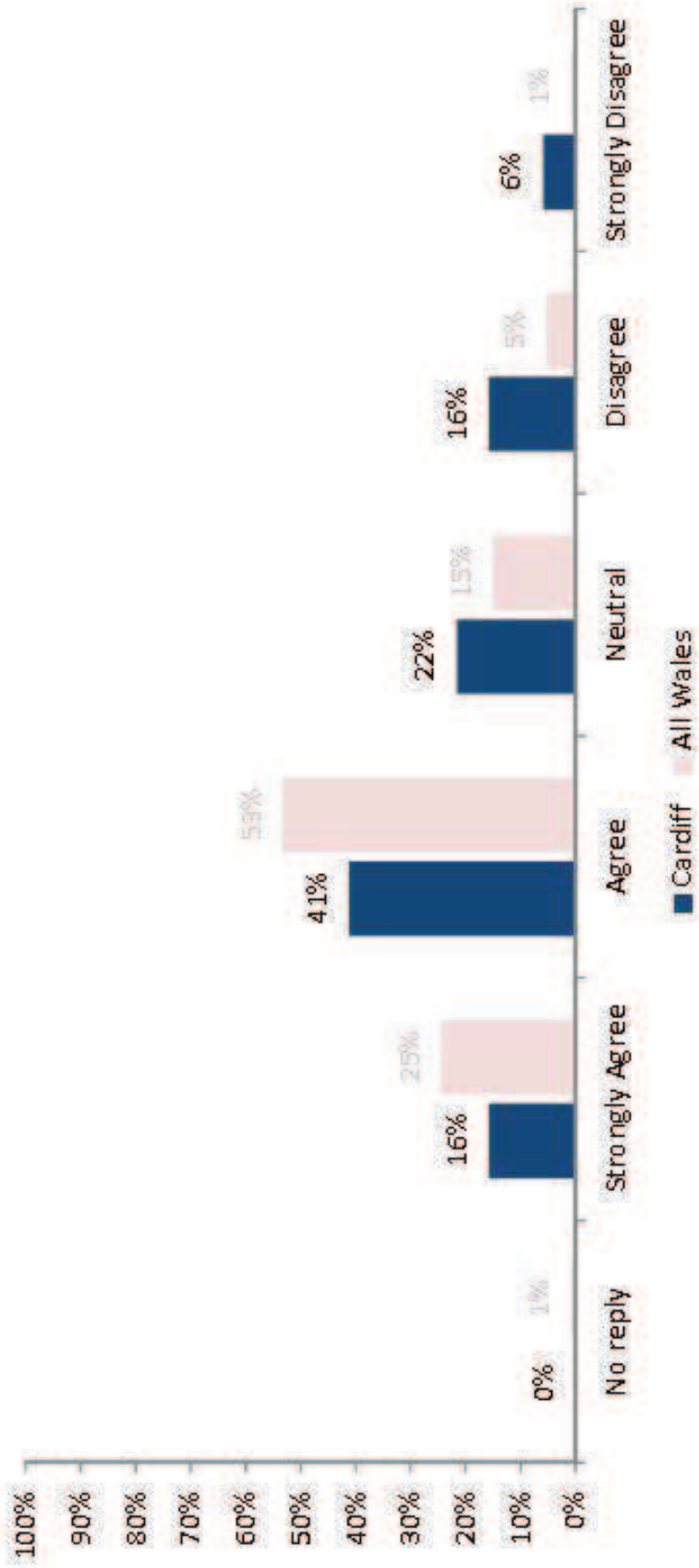




Staff Survey Findings



Q7. I have received the training I need to do my job well

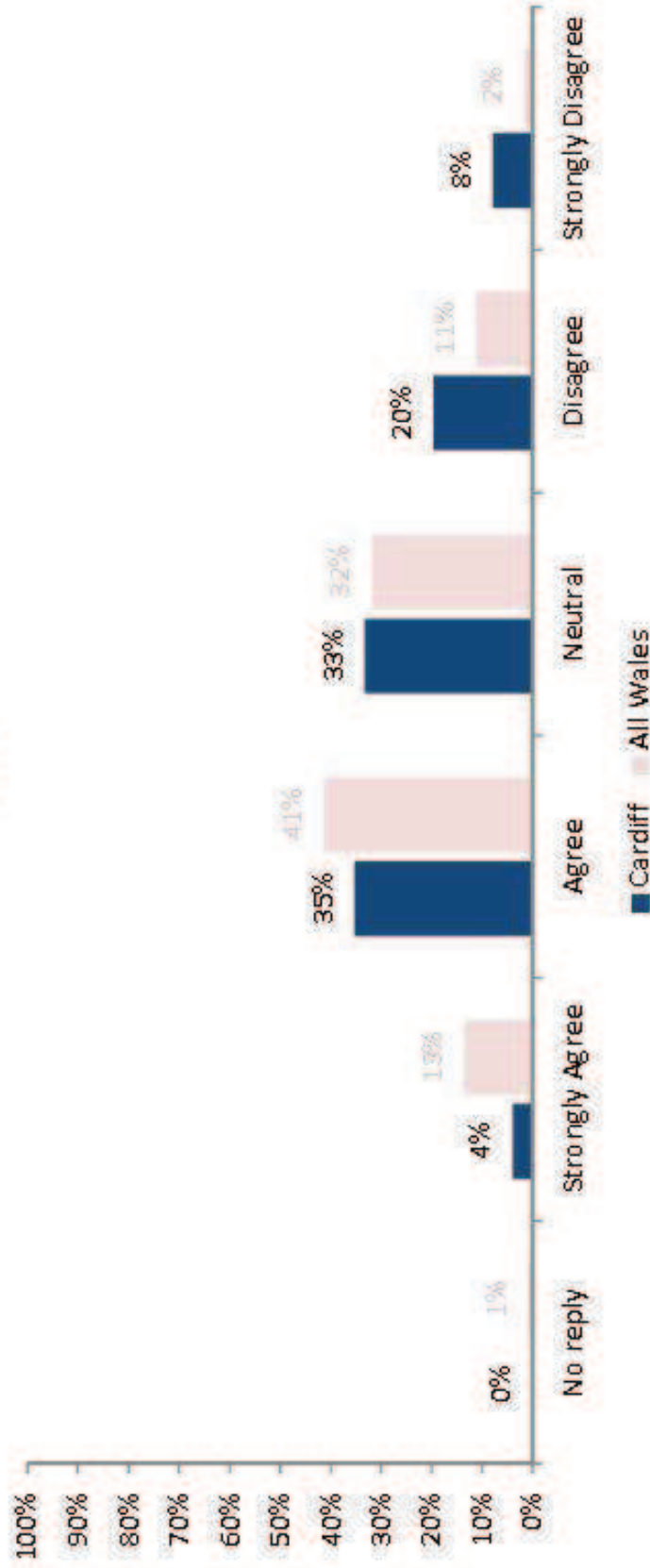




Staff Survey Findings



Q9. The Council encourages me to develop new and more efficient ways to do my work

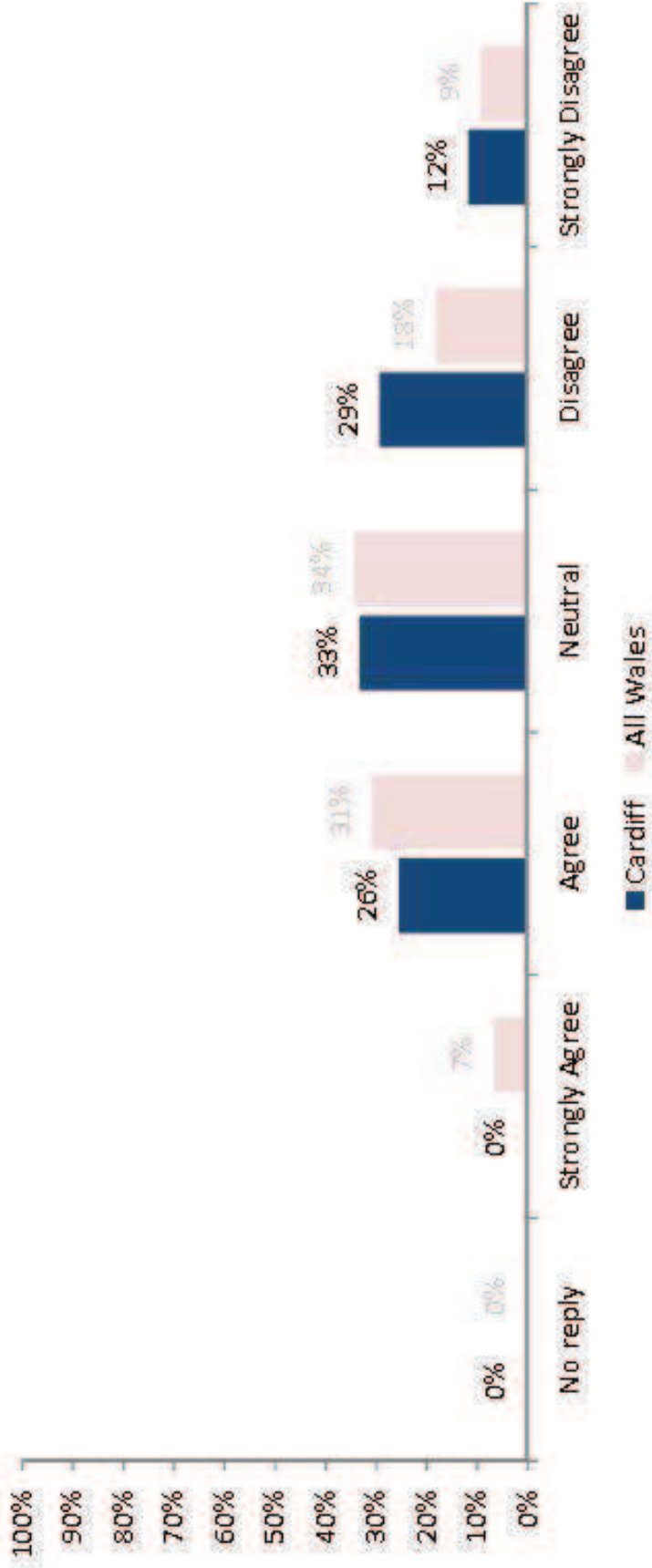




Staff Survey Findings



Q12. The Senior Managers of the Council effectively communicate their plans to me

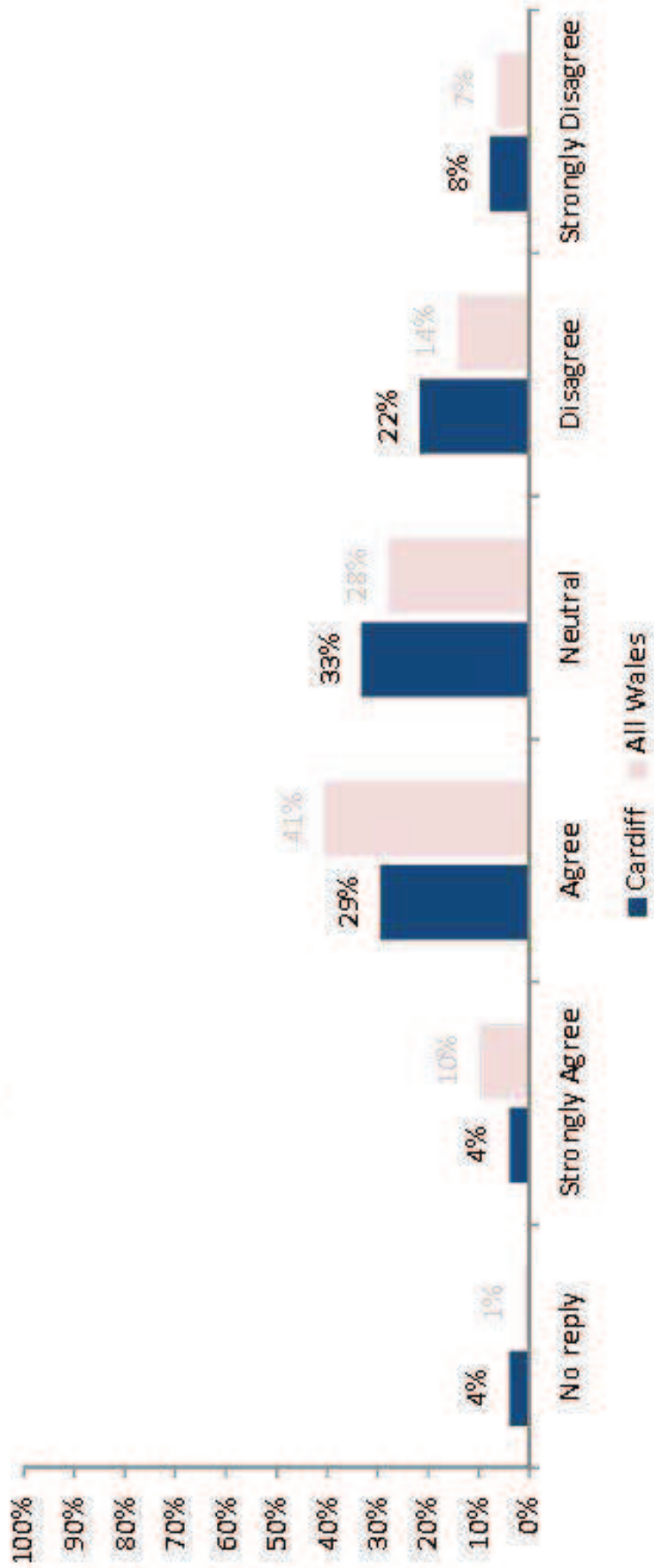




Staff Survey Findings



Q15. The Councillors and Senior Management of the Council recognise the importance of Environmental Health Services

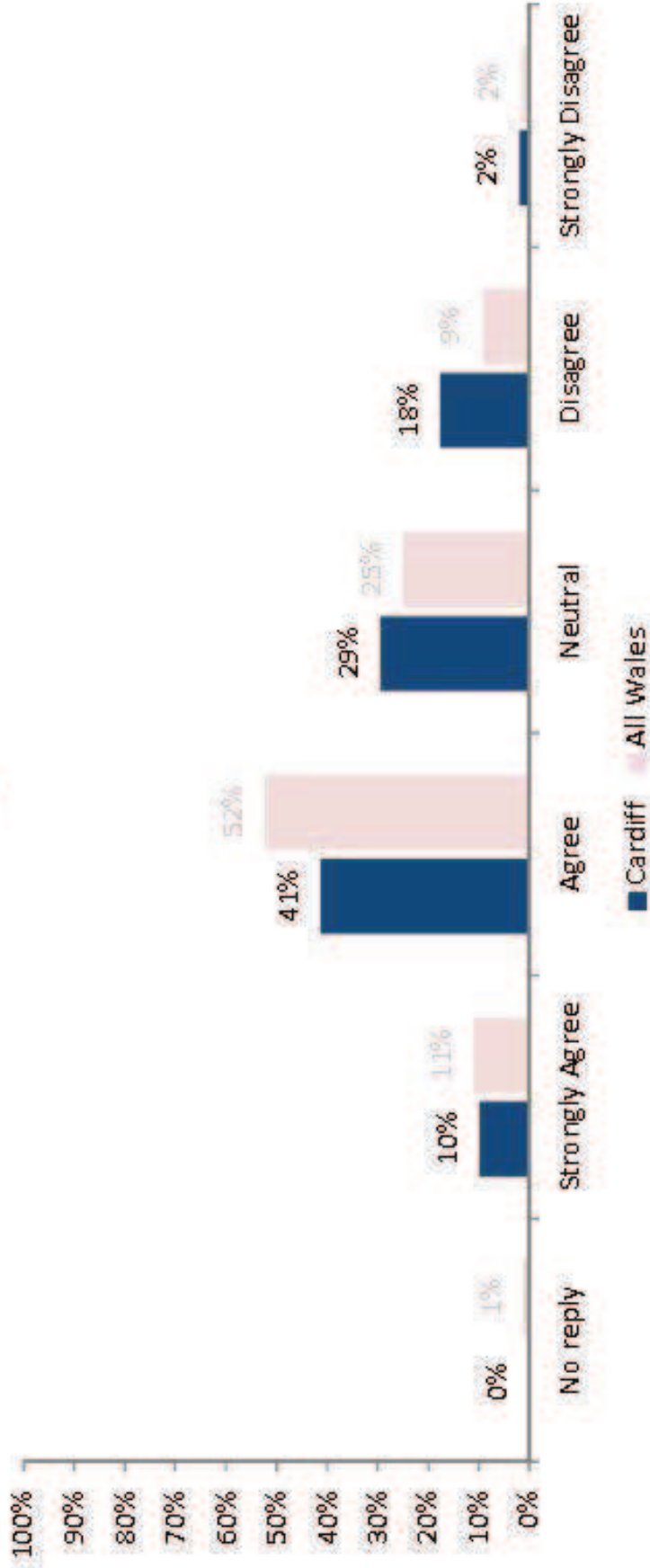




Staff Survey Findings



Q13. The Council's Environmental Health Service fully meets all of its statutory obligations



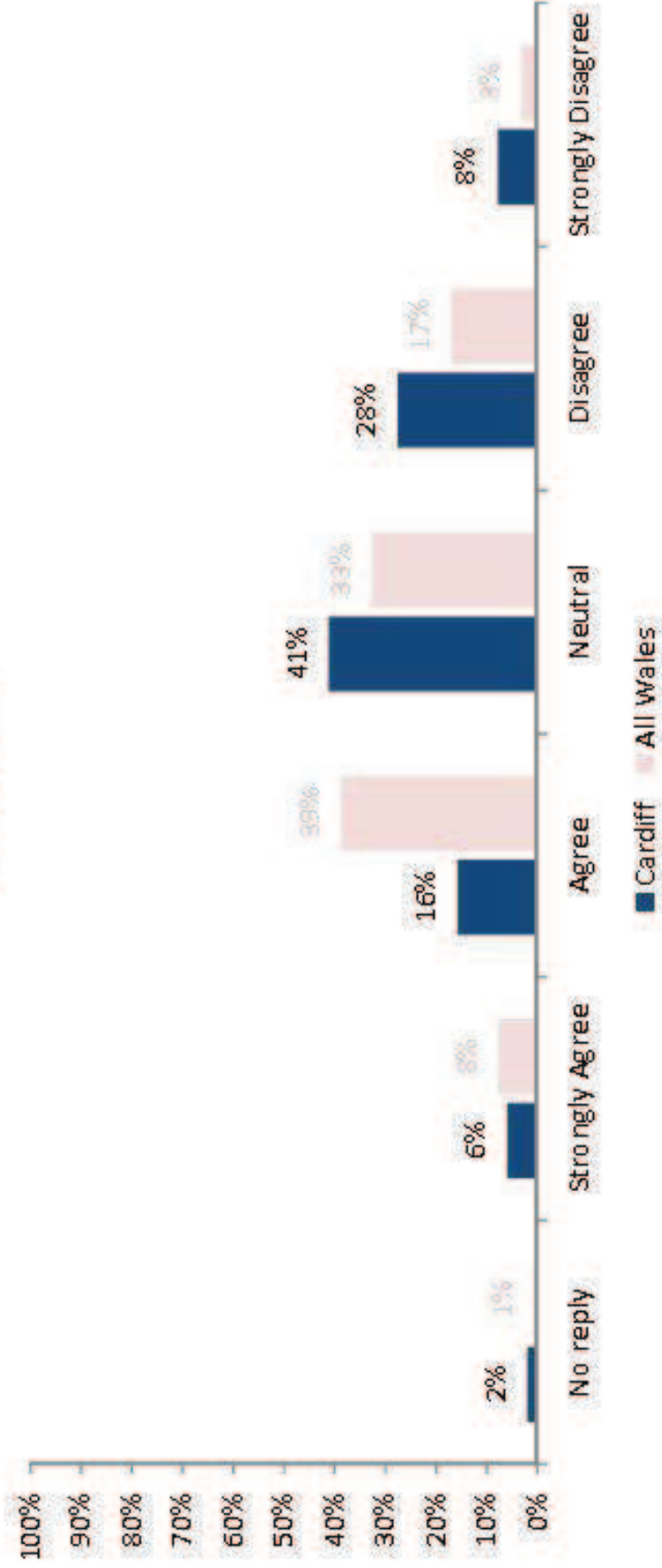


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Staff Survey Findings



Q14. The quality of the Council's Environmental Health services that I help provide are improving





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Citizens Survey



felt the council dealt with their query promptly.



strongly agreed or agreed that the service provided was excellent



felt that it represented value for money.



know that the council has to make savings.



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Citizens Survey



But...

only
33%

feel they know where savings will be made.

52%

believe that the Council has yet to make it clear how reductions in budgets will impact upon the services they receive.

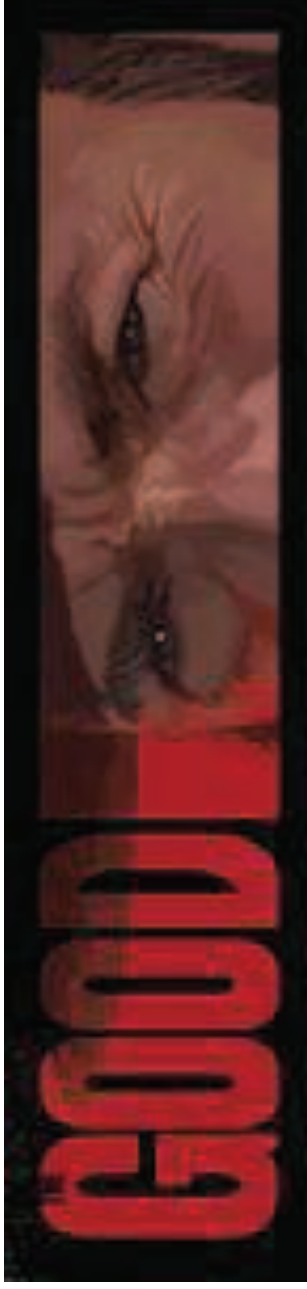
only
25%

felt they were informed of future plans.



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What Citizens told us – The

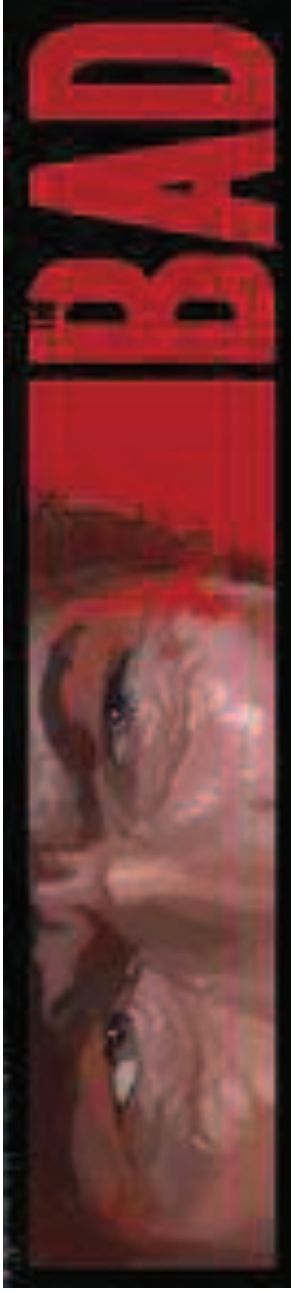


- *“Cardiff continue to provide out of office hours services which is fantastic”*
- *“I reported a noise pollution incident in 2013 and Cardiff Council dealt with it appropriately, efficiently and effectively. Ten out of ten”*
- *“The Council's Capital Times is still delivered to every house which is positive in times of reducing services as it can help to inform residents of changes to services”*



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What Citizens told us – The



- *“Cardiff Council in my opinion are failing to meet the needs of residents in providing a safe and clean city to live in”*
- *“I feel I get no services from the council for the high cost of council tax I am forced to pay”*
- *“I have many concerns how they propose to deal with an ever growing problem with reduced finances and feel we may suffer significantly if they cannot provide a zero tolerance response”*



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What Citizens told us – The



- *“I did not know they existed”*
- *“What they do is not published for the general public so I cannot comment on what I do not know”*
- *“It does not deal with queries and complaints quickly and at no stage have I been told how the cuts they are experiencing will affect me”*

Good Practice Example



- *“With the exception of the planned shared regulatory service between Bridgend, Cardiff and Vale of Glamorgan Councils26, we found little evidence of councils developing a comprehensive regional-based solution to address the financial challenges they face.....the business case highlights that combining these services will result in savings of between £1.1 million and £1.3 million for the three councils.” Wales Audit Office, October 2014,*
Delivering with Less – the Impact on Environmental Health Services and Citizens



WALES AUDIT OFFICE
SWYDDFA ARCHWILIO CYMRU

Thank you



Nick Selwyn BA (Hons) PGDipH FloH

Rheolwr Llywodraeth Leol – Astudiaethau/ Local Government Manager
– Studies

Swyddfa Archwilio Cymru/Wales Audit Office

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e-bost/e-mail: nick.selwyn@wao.gov.uk

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda No.

PUBLIC PROTECTION COMMITTEE: 3rd March 2015

Report of the Head of Regulatory and Supporting Services

**RENEWAL APPLICATION OF A SEXUAL ESTABLISHMENT LICENCE –
COLIN’S BOOKS, 33 CAROLINE STREET, CARDIFF**

1. Background

- 1.1 Sex Establishment Licences are issued under the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. Mr Anthony John Freeman and Mr Colin John Martell are the holders of a Sex Establishment Licence in respect of Colin’s Books, 33 Caroline Street, Cardiff. The licence was first granted in January 2002.
- 1.2 An annual renewal application in respect of the premises was received by the Licensing Section on 12th January 2015. As part of the application there is a statutory 28 day consultation period during which a notice is displayed at the premises and advertised in the South Wales Echo. The final date for objections was 9th February 2015.
- 1.3 During the consultation period an objection was received and is detailed in Appendix A.

2. Details of Objections Received.

- 2.1 The objector has stated that they would like to object to the application for a Sex Establishment Licence and states that the store “doesn't support a positive image of the city and seeing a group of tourists standing in front of the store taking pictures and laughing due to it being there just showed me that this might not be the best location for such a tourist 'attraction’”.

3. Procedural Guidance.

- 3.1 A licence can only be refused on certain grounds, which are contained within the Local Government (Miscellaneous Provisions) Act 1982. Grounds to consider are:
 - a) the Committee considers the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason.
 - b) the number of sex establishments in the relevant locality is equal to or exceeds the number which the Committee considers is appropriate for the locality.

- c) the Committee considers that the grant or renewal of the licence would be inappropriate, having regard to the: -
 - (i) character of the relevant locality; or
 - (ii) use to which any premises in the vicinity are put; or
 - (iii) layout, character, or condition of the premises.

4. Power to prescribe standard conditions

- 4.1 Local authorities have the power to make regulations prescribing standard conditions applicable to licences for sex establishments. This is the case in Cardiff and the Regulations for Sex Establishments are detailed in Appendix B
- 4.3 The Regulations state that ‘the Council reserves the right to amend, delete or add conditions at any time if deemed appropriate.’
- 4.4 The legislation specifically states that standard conditions may regulate displays or advertisements on or in sex establishments.

5. Procedure at the Committee Meeting

- 5.1 Normal practice in Cardiff is to give a hearing to the objectors and to the applicant. Having regard to existing case law, it is recommended that the proceedings be conducted as a hearing of the parties’ cases and not as an adversarial contest between opposing parties. It is recommended that the following procedure be adopted:
 - 5.1.1 The applicant be permitted to hear and note what the objectors say;
 - 5.1.2 The committee hears no other objectors than those whose written objections were received before the end of the 28-day objection period;
 - 5.1.3 The objectors if present may, if they wish, speak to the meeting. The objectors must restrict their presentations to their written submission and how they relates to the statutory grounds for refusal;
 - 5.1.4 The applicant should then have the opportunity to address the committee on the application and provide information in support of the application;
 - 5.1.5 The objectors may be present to listen to the case put by the applicant but may not speak;
 - 5.1.6 The committee to ask the objectors, the applicant, and the public to leave the room while the members consider their decision; and
 - 5.1.7 The objectors, the applicant, and the public be invited to return to hear the committee announce the decision.

5.2 Section 11 of the of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 provides that where the renewal application has been submitted before its expiry the licence will remain in force until the authority determines the application.

5.3 An applicant refused renewal has the right of appeal against the decision of the authority to a Magistrates' Court and then the Crown Court. However if the refusal is under Grounds (b) or (c) mentioned in paragraph 3.1 above there is no right of appeal, although the applicant may apply for judicial review of the decision.

6. Achievability

This report contains no equality personnel or property implications.

7. Legal Implications

7.1 The legal implications appear throughout the text of this Report.

7.2 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.

8. Financial Implications.

8.1 This report does not result directly in any additional financial implications.

9. Recommendation

a) That the application for the renewal of the sex establishment licence in respect of Colin's Books, 33 Caroline Street, Cardiff, be determined.

Dave Holland

10 February 2015

HEAD OF REGULATORY AND SUPPORTING SERVICES

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

Background Papers: None

Barker, Kirstie

From: c2c@cardiff.gov.uk
Sent: 06 February 2015 11:13
To: Licensing (Licensing, Regulatory)
Subject: Sex Establishment License

Dear Licensing

Please see the below enquiry and respond to customer as soon as possible.

The reference number for the enquiry today is KOS-1586829830.

Yours sincerely,

Sophie
 Connect to Cardiff
 City of Cardiff Council
 County Hall
 Atlantic Wharf
 Cardiff
 CF10 4UW

From: do-not-reply@cardiff.gov.uk
Sent: Wednesday, 4 February 2015 16:22:40
To: c2c@cardiff.gov.uk
CC:
Subject: Contact Us English Online Form

BREADCRUMB:
 /ENG/Home/Contact-us/General-enquiries/Pages/default.aspx
Title:

First Name:

Last Name:

Email Address:

Address:

Prefer Contact by:
 Email

Comments Body:

I would like to object to the application for a sex establishment licence by Colin's Books at 33 Caroline Street in Cardiff. As a regular visitor to the city centre I'm appalled that this store is still located next to some of the main visiting spots in Cardiff. It doesn't support a positive image of the city and seeing a group of tourists standing in front of the store taking pictures and laughing due to it being there just showed me that this might not be the best location for such a tourist 'attraction'. Thanks

CARDIFF COUNTY COUNCIL REGULATIONS FOR SEX ESTABLISHMENTS

Cardiff County Council, in exercise of the powers conferred upon them by paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act, 1982 and of all other powers enabling them in that behalf make the following Regulations.

- Definitions**
1. (a) In these Regulations the following expressions that is to say “Sex Establishment”, “Sex Shop”, “Sex Cinema”, “Sex Article”, and “Vessel” shall have the meanings respectively assigned to them by Schedule 3 of the Act.
- (b) In these Regulations the following expressions shall have the meanings hereby respectively assigned to them namely: -
- | | |
|-------------------------------|---|
| “the Act” - | means the Local Government (Miscellaneous Provisions) Act, 1982. |
| “the Council” - | means Cardiff County Council. |
| “the licensed premises” - | means any premises, vehicle, vessel or stall licensed under the Act. |
| “Licence holder” - | means any person who is the holder of a sex establishment licence. |
| “Sex establishment licence” - | means a licence granted pursuant to Schedule 3 of the Act. |
| “Approval of the Council” | means the approval of the Council in writing under the hand of the Head of Regulatory Services or his nominated representative. |
| “Consent of the Council” | means the consent of the Council in writing under the hand of the Head of Regulatory Services or his nominated representative. |
| “Approved” | means by the Council in writing under the hand of the Head of Regulatory Services or his nominated representative. |
- General**
2. In the event of a conflict between these Regulations and any special conditions contained in a licence relating to a Sex Establishment the special conditions shall prevail.
3. The Council reserves the right to amend, delete or add conditions at any time if deemed appropriate.

4. The grant of a licence for a Sex Establishment shall not be deemed to convey any approval or consent which may be required under any enactment by law, order or regulation other than the Third Schedule of the Local Government Miscellaneous Provisions) Act 1982. Whilst utilising the Licence the Licence holder shall take into account any legislation that impinges on the activities proposed.
5. The holder of a Sex Establishment Licence shall observe such regulations and conditions as may be approved by the Council from time to time for cinemas having a licence under the Cinemas Act 1985 as shall be applied by the Council by special condition to the Sex Establishment licence, giving such reference to the said Cinema Licence conditions as may be deemed appropriate and the regulations and conditions shall have the same force and effect as if the same were severally contained in these regulations.
- Times of operation**
6. Except with the previous consent of the Council a Sex Establishment shall not be open to the public before 9 a.m. and shall not be kept open after 11 p.m.
7. Except with the previous consent of the Council a Sex Establishment shall not be open on Sundays, Good Friday and Christmas Day.
- Standard Conditions**
8. The Licensed premises shall not be used for any purpose other than the business of a Sex Establishment.
9. Where the Licensee is a body corporate or an unincorporated body any change of Director/Company Secretary or any other person responsible for the management of the body is to be notified to the Council within 14 days of such change and such written details as the Council may require in respect of any new director, secretary or manager are to be furnished within 14 days of a request in writing from the Council.
10. The Licensee or some responsible person nominated by him in writing for the purpose of managing the Sex Establishment in his / her absence and of whom details (including photographs) have been supplied to and approved in writing by the Council shall be in charge of and upon the Premises during the whole time they are open to the public.
11. The name of the person responsible for the management of a Sex Establishment be he / she the Licensee or a manager approved by the Council shall be prominently displayed within the Sex Establishment throughout the period during which he / she is responsible for its conduct.
12. No person previously convicted of:
- an offence connected to a Sex Establishment either licensed or unlicensed
 - a sexual offence
 - an offence relating to the sale of restricted 18 videos may be employed at the premises or be involved in supplying entertainment or goods at the premises.

13. The Licensee and a responsible person approved under Regulation 11 shall maintain a daily register to be kept on the premises in which he / she shall record the name and address of any person who is to be responsible for managing the Sex Establishment in his / her absence and the names and addresses of those employed in the Sex Establishment. The register is to be completed each day within thirty minutes of the Sex Establishment opening for business and is to be available for inspection by the Police and by authorised officers of the Council.

Premises

14. Copies of the licence and the conditions attached to the licence shall be clearly displayed so that every person entering the premises can see a copy of both the licence and the conditions.

15. The Licensee shall retain control over all portions of the Premises and shall not let, licence or part with possession of any part of the premises.

16. Any charge for entering the premises shall be clearly and legibly displayed outside the premises so that all persons can read it before entering the premises.

17. No display, advertisement, word, letter, model, sign, placard, board, notice, device, representation, drawing, writing or similar matter shall be displayed outside the premises without the written permission of Cardiff County Council, except for those signs or notices that are required to be displayed by these licence conditions.

18. The entrance to the premises shall be so designed and constructed as to prevent persons outside the premises having a view of the interior.

19. All windows must be dressed or designed so as to prevent persons outside the premises having a view of the interior.

20. No window shall contain any sign, advertising material, goods or display likely to cause an offence to persons passing the window.

21. Lighting in all parts of the premises must be in operation continuously during the whole time the premises are open as a sex establishment.

22. The premises shall be maintained in good repair and condition.

23. All parts of the Premises shall be kept in a clean and hygienic condition to the satisfaction of the Council.

24. Doors and openings which lead to parts of the premises which are not open to the public shall be clearly marked "staff only" or by some other sign that deters the public from using such doors or openings.

25. The external doors to the Sex Establishment shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.

26. The Licensee shall make provision in the means of access both to and within the Sex Establishment for the needs of members of the public visiting the establishment who are disabled.

27. All exhibits, displays, demonstrations and like activities must be open and available to all customers at no charge other than any initial entrance fee to the establishment and there shall be no individual cubicles or rooms designed to accommodate individual persons or groups of persons where exclusive demonstrations, displays, exhibits or similar activities may take place, unless authorisation/consent is first granted by the Council.
28. Warning signs as specified in the Indecent Displays (Control) Act 1981 must be clearly exhibited at the entrance to the premises.
29. No change of use of any portion of the Premises from that approved by the Council shall be made until the consent of the Council has been obtained thereto.
30. No change from use as Sex Cinema to a Sex Shop or from a Sex Shop to a Sex Cinema shall be effected without the consent of the Council.
- Safety**
31. The Licensee shall take all reasonable precautions for the safety of the public and employees.
32. The Licensee shall comply with any fire prevention and safety measures that may be required by the Council and or the South Wales Fire Service and shall maintain and keep available for use all specified fire fighting equipment and extinguishers.
- Conduct & Management**
33. The licensee shall maintain good order on the premises at all times.
34. No person under 18 years of age shall be admitted on the premises.
35. No tickets shall be sold and no admission money taken in a place to which members of the public, other than permitted customers of the Sex Establishment, have access.
36. The licensee shall ensure that the premises are not used by prostitutes (male or female) for soliciting or any immoral purpose.
37. Neither the licensee nor any other person shall seek to obtain custom for the sex establishment by means of personal solicitation outside or in the vicinity of the establishment.
38. No leaflet, card, paper, advertising sheet or similar matter promoting the establishment or any goods or service offered by the establishment shall be distributed in the vicinity of the establishment, unless authorisation/consent is first granted in writing by Cardiff County Council.

39. Neither Sex Articles nor other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint, which are associated with sexual activity, shall be displayed, sold, hired, exchanged, loaned or demonstrated in a Sex Cinema.
40. The licensee shall make staff available to ensure good order and free passage for customers on access and egress routes and car parks belonging to the licensee.
41. The licensee shall prevent the sale, display for sale or offer for sale of any article, goods or service on access or egress routes and car parks belonging to the licensee.
42. No dancing or other entertainment of a like kind shall be provided or permitted unless authorised by the Council.
- Goods available
in Sex
Establishments** 43. Only merchandise which is legally available in Great Britain from retail outlets, mail order companies or party planners may be sold, hired, loaned or supplied, displayed, advertised or demonstrated at the establishment.
44. No film or video shall be exhibited, sold, hired, loaned or supplied unless it has been (a) passed by the British Board of Film Censors and bears a certificate to that effect or (b) approved by the Council and complies with the Video Recordings Act 1984 and it is a reproduction authorised by the owner of the copyright.
45. All sex articles and other things displayed for sale, hire, exchange or loan shall be clearly marked to show the price being charged.
46. The licensee shall without charge, display and make freely available literature and contact names and telephone numbers of organisations and associations that give advice and counselling on matters relating to sexual problems, family planning and sexually transmitted diseases.
47. All printed matter offered for sale, hire, exchange or loan shall be available for inspection prior to purchase, hire exchange or loan and a notice to this effect is to be prominently displayed within the Sex Establishment.

**CONDITIONS OF LICENCE RELATING TO THE PROVISION OF LAP
DANCING, TABLE SIDE DANCING AND ANY OTHER ENTERTAINMENT
INVOLVING STRIPTEASE AND/OR NUILITY AT PREMISES LICENSED FOR
PUBLIC ENTERTAINMENT**

1. Total nudity (the exposing of genitals) shall only be permitted on stage and at no other place in the premises.
2. No sex act shall take place.
3. The area proposed for striptease (involving complete nudity) shall:-
 - a) be in a position where the performance cannot be seen from the street.
 - b) be in a designated area of the premises with segregation from the audience.
 - c) be in a position where the performers will have direct access to the dressing room without passing through or in close proximity to the audience.
4. The area proposed for lap dancing, table side dancing (involving partial nudity) shall be in a position where the performance cannot be seen from the street.
5. There shall be no physical contact between persons appearing on stage and the audience. The entertainment shall be given only by performers/entertainers and the audience shall not be permitted to participate.
6. Persons appearing on stage should have direct access to the dressing room without passing through or in close proximity to the audience.
7. Lap dancers/table side dancers must immediately dress at the conclusion of each performance.
8. The licensee, performer and any person concerned in the organisation or management of the entertainment shall not encourage, or permit encouragement of the audience to throw money at or otherwise give gratuities to the performers (except as permitted by condition 10 below)
9. Entertainment provided by topless dancers to customers seated at tables may only take part in those parts of the premises approved by the Council. No audience participation shall be permitted.
10. There shall be no physical contact between customers and the dancers except for the placing of money or tokens into the hands of the dancer at the beginning or conclusion of the performance. Whilst the dancers are performing there shall be a minimum distance of one metre between the dancer and the seated customers. Notices to this effect shall clearly be displayed at each table and at the entrance to the premises.
11. Should a customer attempt to touch a dancer, the dancer must withdraw and report the matter to her / his manager/supervisor.
12. There shall be no physical contact between dancers whilst performing.
13. The topless dancers shall at all times wear a G-string or similar piece of clothing that covers the appropriate part of the body.

14. The Licensee will immediately deal with any report of contact, misconduct or provocation by a customer or dancer.
15. No telephone number, address or information leading to any further meeting may be passed from customer to dancer or vice versa.
16. No dancer may perform if they are intoxicated.
17. No member of the public shall be admitted or allowed to remain in the dance area if they appear to be intoxicated.
18. All members of the public shall remain seated in the dance area other than when they arrive, depart, visit the toilet or go to the bar.
19. Members of the public should not be permitted to congregate in the bar area.
20. Signs must be displayed at the entrance to the dance area stating:-
 - a) "Any customer attempting to make physical contact with a dancer will be asked to leave"Signs must be sufficient in size, legible and positioned so as to be read by all customers entering the dance area.
21. No dancer shall perform any sexually explicit or lewd act.
22. Whilst dancing takes place not less than(insert agreed number)...of Door Supervisors registered under the Council's Licensed Premises Supervisors Registration and Training Scheme shall be employed in the part of the premises used for dancing unless alternative arrangements are approved by the Council.
23.
 - a) CCTV shall be installed to cover all areas where dancing will take place. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 28 days with time and date stamping.
 - b) Tape recordings shall be made available to an authorised officer of the Council or a Police Officer together with facilities for viewing.
 - c) The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice.

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda No.

PUBLIC PROTECTION COMMITTEE: 3 March 2015

Report of the Head of Regulatory and Supporting Services

**APPLICATION FOR APPROVAL FOR THE FITTING OF ROOF MOUNTED
DUAL SIDED LCD ADVERTISING ON TX1, TX2, TX4 HACKNEY CARRIAGES
VEHICLES ONLY.**

1. Background

- 1.1 An application has been made by Mr Michael Smith Managing Director of Open Taxi Tops Ltd for approval to fit roof mounted dual sided LCD advertising screens to TX1, TX2 and TX4 Hackney Carriage vehicles. Mr Smith would also install an Air system, PC and Leisure battery in the boot of the vehicles that would free the adverts up from condensation. This would also enable the customers and driver to have internet access.
- 1.2 Mr Smith has been in the advertising industry for over ten years and has a large client base ranging from small businesses to Blue Chip companies and was granted approval for his roof mounted dual LCD screens by Liverpool City Council in December 2014.
- 1.3 This report is to provide details of the application to enable the application to be considered by Committee.

2. Details.

- 2.1 Mr Smith proposes to use dual-sided LCD top boxes on TX1, TX2 and TX4 Hackney Carriages. Mr Smith claims the signs will not interfere with the hire light which would still be clearly visible.
- 2.2 Mr Smith's indicates a number of benefits of this style of advertising, including providing an extra income stream for drivers and taxi companies.
- 2.3 Clearly it is vitally important for safety reasons that any object on the top of a vehicle should be mounted safely and Mr Smith has said that the LCD screens will be securely and permanently attached to the roofs of the hackney carriages. The email of application is detailed in Appendix A.
- 2.4 Mr Smith has provided the artwork showing samples of the type of advertisements provided. (see Appendix B).
- 2.5 Mr Smith has been requested to provide an example sign fitted to a vehicle available for inspection at the meeting.

3. **Considerations**

3.1 At present all licensed vehicles are identifiable by an exterior licence plate issued by the Authority that must be displayed together with plate signs on the interior of the vehicle. The driver is also required to wear a numbered photo-identity badge and display a copy in the vehicle. The vehicle is also required by motoring law to display a registration plate. In addition to this, Hackney Carriages are immediately recognisable as are clearly marked as black with a white bonnet or all black in the case of vehicles which meet the Metropolitan Police Conditions of Fitness. All licensed drivers are vetted in respect of their criminal convictions and medically examined to ensure they are fit and proper persons.

3.2 In considering the appropriateness of the use of advertising equipment the Committee should consider the safety of the product and its suitability within a vehicle used for hire and reward and in particular may consider:

- Acceptability of the medium by fare paying passengers
- Whether the medium will cause confusion in distinguishing between Hackney Carriage and private hire vehicles.
- Whether such adverts will confuse passengers by distracting from the licence plate numbers displayed
- Type, size and design of the equipment
- Secure mounting and safety of the equipment
- The safe storage of any necessary controls, and any implications of this storage e.g. reduction of luggage compartment
- Effects on the suitability and comfort of the seating arrangement

3.3 The committee may also wish to take into account that a similar application was approved by Public Protection Committee in January 2006 in respect of illuminated roof-mounted advertising boxes on Hackney Carriages. The committee discounted the use of magnets and concluded that the boxes were to be affixed to the vehicles by bolts. The following additional Hackney Carriage Vehicle Licence Condition was introduced at that time:

“External advertising in the form of illuminated roof signs affixed to the vehicle in an approved manner is approved subject to the advertisement being approved by the Authority, in writing, prior to its use.”

The Authority would approve the use of triangular roof signs on hackney carriages where they are affixed to the roof securely by means of nuts and bolts and the advertising does not concern alcohol, smoking or sexual issues. The advertising media did not prove popular and their use has not been adopted.

3.4 In January 2008 an application was submitted by Marvin Mobile Media Ltd who had developed a more modern advertising top box that could be secured by adhesive pads which had been tested to withstand 150 mph winds. The applicant

provided technical details of various safety tests that had been carried out on the new system and the committee resolved to approve the application.

- 3.5 Regulations made under the Road Vehicles Lighting Regulations 1989 lay down requirements for the lighting of vehicles. In particular light showing from the rear of a vehicle may only be red subject to exemptions for certain circumstances (white light shown from a taximeter for example). The applicant would need to ensure that the equipment met the requirements of the legislation.

4. Consultation

The trade consultation procedure was undertaken in accordance with the consultation procedure on any policy matters. The draft reports intended for consideration were made available at the licensing offices for any interested party to provide written submissions.

5. Achievability

This report contains no equality personnel or property implications.

6. Legal Implications

- 6.1 As indicated in the Report, the Authority already permits the display of illuminated roof signs on hackney carriages.
- 6.2 Under Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 the Council may impose such conditions upon hackney carriage licences as it may consider reasonably necessary.
- 6.3 In particular the Council may require any hackney carriage licensed by it to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.

7. Financial Implications.

- 7.1 This report does not result directly in any additional financial implications.

8. Recommendation

- 8.1 It is recommended that the Committee determine the application made by Open Taxi Tops Ltd to allow Dual sided LCD advertising top boxes on TX1, TX2 and TX4 hackney carriage vehicles.

Dave Holland

HEAD OF REGULATORY AND SUPPORTING SERVICES

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

Background Papers: None

-----Original Message-----
From: Open Magazine [mailto:
Sent: 13 January 2015 12:08
To: Hartrey, Claire
Subject: OPEN Messenger

APPENDIX A

Hi Claire,

I am Michael Smith, Managing Director of Open Taxi Tops Ltd, I spoke with Paul Walters today and he has told me to email you regarding our project OPEN Messenger

Over the past 18 months we've been researching, designing and developing this new innovation product, to put onto the public highway, as a new and target way of delivering digital content and messaging service to the general public. This will work by putting Dual sided LCD Screens onto the top of the Iconic Black Hackney Taxi. It'll be fitted onto the roof of the vehicle as a permanent fixture, whilst the boot of the vehicle will be fitted out with the Air system, PC and a Leisure battery. Working very closely with Liverpool City Council we have already had this APPROVED and will be launching the end of March 2015 with 30 screens. This entire concept has been developed and manufactured within the UK.

The Benefits that Open Messenger will bring to this city are very rewarding for all.

Employment

Taxi drivers

Extra revenue stream for rental of the roofs (£3000k p.a), Free WiFi & Charging point for the consumer.

Government

A new way to communicate news and information to the public.

A new landscape for our city.

We've been a part of the advertising industry for 10 years and have a large client base ranging from SME's to Blue Chip companies. Now we have sort approval from LCC, we would like the opportunity to present this to Cardiff City Council and hopefully have our product launched in Cardiff come the summer of 2015. We would like to submit an application in order get onto the next available Licensing Committee hearing, to bring this exciting new technology to the city. We have passed all the relevant health & safety requirements needed and can bring these to the committee.

I have also attached some images as well.

Looking forward to your response.

Kind Regards,





APPENDIX B

CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda No.

PUBLIC PROTECTION COMMITTEE: 3 March 2015

Report of the Head of Regulatory and Supporting Services

HACKNEY CARRIAGE FULL LIVERY ADVERTISING

1. Background

- 1.1 An application has been received from Mr Micky Harris of Ubiquitous Ltd for full livery advertising on wheelchair accessible hackney carriage vehicles. Such as the Mercedes Vito and Euro Cab etc.
- 1.2 Currently the authority only permits full livery advertising on hackney carriage vehicles that meet the London Metropolitan Conditions of Fitness e.g. London style taxis such as TX1s, FX4s etc.

2. Details.

- 2.1 Condition 5.2 (f) of Cardiff Council's Hackney Carriage Vehicle Licence Conditions states:
'Full external advertising livery for one product is permitted on the whole of the vehicle subject to the advertisement being approved by the authority, in writing, prior to its use. This condition applies only to purpose built vehicles which meet the Metropolitan Police Conditions of Fitness'.
- 2.2 Vehicles that meet the Metropolitan Police Conditions of Fitness include: London Taxis International FX4, London Taxis International TX1/2, London Taxis International TX4, Reliant Metrocab, and Mercedes Bens Vito Taxi.
- 2.3 In his application Mr Harris states:

'Ubiquitous Ltd is a company responsible for many taxi advertising campaigns in the Uk. on purpose built and wheelchair accessible vehicles throughout the UK Cardiff being one of their growth Cities.
- 2.4 Mr Harris's observations are that fewer and fewer FX4 and TX1/2 and TX4 are being used with drivers opting for Eurocab and E7 type vehicles and whilst Mr Harris understands that he can display Megasides on the Eurocab this is not very popular with clients as the sides are mainly taken up with the windows. The proposed adverting if approved will provide proprietors with some welcomed additional income. The email of application is detailed in Appendix A.

- 2.5 Mr Harris has provided the artwork showing samples of the type of advertisements provided. (see Appendix B).
- 2.6 In February 2014 a similar application was submitted by Mr Neil Roberts of Huge Media Advertising Ltd to allow full livery advertising on vehicles such as the Fiat Doblo.
- 2.7 Members were asked to consider the effect of permitting full livery on wheel chair accessible vehicles would have, and in particular, whether permitting the application would have an impact on members of the public identifying such vehicles as hackney carriages. For comparison purposes the report provided details of full livery restrictions on other local authorities.
- 2.8 Members noted that the Committee had indicated its intention to undertake a complete review of the Taxi Licensing Policy, including the standardising and improvement of the appearance of licensed vehicles.
- 2.9 The Committee resolved to refuse the application by Huge Media Ltd to have full livery on wheelchair accessible vehicles.

3. Considerations

- 3.1 In order to assist the public in identifying licensed vehicles, hackney carriages are required to be coloured black with a white bonnet, apart from vehicles that meet the Metropolitan Police Conditions of Fitness which can be all black without the white bonnet (other than subject to advertising as permitted by the Conditions)
- 3.2 When determining an application for full livery advertising in 2001, the Public Protection Committee gave consideration to the fact that vehicles that meet the Metropolitan Police Conditions of Fitness have a distinctive shape and are easily recognisable to the public as taxis. Therefore the colour of vehicles that meet the Metropolitan Police Conditions of Fitness is less of a significant factor in terms of identifying the vehicle as a licensed hackney carriage compared with standard saloons and other wheelchair accessible vehicles.
- 3.3 Wheelchair accessible vehicles that do not meet Metropolitan Police Conditions of Fitness such as Mercedes Vito and Eurocab etc are not as instantly recognisable as taxis from their shape, and these vehicles are commonly used as domestic vehicles.
- 3.4 As full livery advertisements have been permitted in Cardiff since 2001, the public will be familiar with licensed vehicles that are completely covered by advertising slogans. It could be said that allowing this type of advertising on all wheelchair accessible vehicles would not have an impact of the identification of these vehicles. However commercial advertising of this kind on vehicles is not purely restricted to the taxi trade.

- 3.5 The Committee may also wish to consider the overall impact on the appearance of the licensed fleet. There are presently 27 licensed vehicles that meet the Metropolitan Police Conditions of Fitness, whereas there are over 400 wheelchair accessible hackney carriages in total.
- 3.6 A comparison of full livery restrictions in some other local authorities is detailed in the table below:

Local Authority	Full Livery Restrictions
Swansea	Advertising allowed on the bottom of the rear doors. No full livery allowed
Vale of Glamorgan	Rear wing advertising only. No full livery.
Birmingham	London type taxi's can be any colour as they are instantly recognised as taxi's so full livery is allowed as it would not effect any colour code. All other vehicles have to be black.
Bournemouth	A3 size licence on door panels only.
Oxford	Purpose built vehicles only.
Nottingham	No Full livery allowed. Advertising restricted to rear doors/ inner vision rear screen and tip up seats.
Bridgend	All vehicles to be white from new except wheelchair acceptable vehicles which are allowed to be spayed white. No full livery.
Sheffield	Full livery allowed on any vehicle whether purpose built or not.
Southampton	No full livery allowed at all.
Newcastle	Full livery permitted on wheelchair accessible vehicles, but not saloon vehicles
Leeds	Full livery permitted on wheelchair accessible vehicles, but not saloon vehicles or private hire vehicles

- 3.7 If the Committee were minded to grant this application it is recommended that as with all other types of vehicle advertising, the applicant must submit details of the advert to the Licensing Section for approval prior to its use.
- 3.8 The Committee has indicated its intention to undertake a complete review of the Taxi Licensing Policy, including standardising and improving the appearance of licensed vehicles. The Committee may wish to take this into consideration when determining this application.

4. Consultation

- 4.1 The trade consultation procedure was undertaken in accordance with the consultation procedure on any policy matters. The draft reports intended for consideration were made available at the licensing offices for any interested party to provide written submissions.

5. Achievability

This report contains no equality personnel or property implications.

6. Legal Implications

6.1 Under Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 the Council may impose such conditions upon hackney carriage licences as it may consider reasonably necessary.

6.2 In particular the Council may require any hackney carriage licensed by it to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.

6.3 It should also be noted that under Section 48 of the same Act a private hire vehicle cannot be of such a design and appearance as to lead any person to believe that the vehicle is a hackney carriage. It is considered that if the application for full livery advertising for hackney carriage vehicles is granted it would not then be possible to grant any future similar application for private hire vehicles.

7. Financial Implications.

7.1 This report does not result directly in any additional financial implications.

8. Recommendation

8.1 It is recommended that the Committee determine the application made by Ubiquitous Ltd to allow full livery advertisements on all wheelchair accessible hackney carriage vehicles.

8.2 If the Committee resolve to approve the application, it is recommended that Condition 5.2 (f) of the Hackney Carriage Vehicle Licence Conditions is amended as follows:

‘Full external advertising livery for one product is permitted on the whole of the vehicle subject to the advertisement being approved by the authority, in writing, prior to its use. This condition applies only to wheelchair accessible hackney carriage vehicles.’

Dave Holland
HEAD OF REGULATORY AND SUPPORTING SERVICES

21 January 2015

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

Background Papers: None

APPENDIX A

From: Micky Harris [r]
Sent: 04 December 2014 15:55
To: Hartrey, Claire
Subject: REQUEST FOR A CHANGE IN ADVERTISING FORMAT IN CARDIFF

Dear Claire,

I hope this email find you well.

As you may know, Ubiquitous is the company responsible for many Taxi advertising campaigns in the UK, Cardiff being one of our growth cities.

When we had ample TX Style Taxis we are able to offer clients Full Liveries and SuperSides as media options, however with the replacement of many of these Taxis with the Eurocab we are faced with a difficult task when selling media space to clients in your wonderful City.

I understand that we can run the MegaSide advert on a Eurocab, however this is not popular with clients as the side of the taxi is mostly window.

We have started to use the Vito Taxi in London and have a product that uses the Sides and the Bonnet of the Taxis as a more valuable space for branding.

I know that the ruling in Cardiff is to keep this area white in order to confirm that the vehicle is a Taxi however we would like you to have a look at the attached and consider that the front of the Taxis have a Taxi light on them and the sides, if used as a MegaSide would not have any identification on them.

Therefore I would like to arrange to present this case to the Council in order to see if we can look to trial the attached Sides and Bonnet rather than a MegaSide advert which we will not be able to sell successfully.

I believe that we might have to make an application for a Livery on a Eurocab in order to progress and have attached an example of this as well.

I look forward to hearing from you and to meeting in the near future.

Kind regards
Micky

27/01/2015





**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda No.

PUBLIC PROTECTION COMMITTEE: 3rd March 2015

Report of the Head of Regulatory and Supporting Services

REVIEW OF GENERAL LICENCE FEES AND CHARGES

1. Background

1.1 This report is concerned with the setting of various licence/registration fees and charges.

2. Details.

2.1 The 'General' Licence fees and charges were last amended in September 2013. The committee has not received a report on licence fees since that time and there has been no increase in the fees levied. This revision of the fees seeks to ensure that the costs of the service will, so far as is possible, be met from income; however it is unlawful to make a profit from this regime.

2.2 The current fees have been reviewed, following a complete reassessment of the costs of the "General" Licensing regime, including a financial assessment of time allocations for Licensing staff, internal charges and other associated costs borne by the Council. In addition these fees take into account the provisions of the Provision of Services Regulations 2009 and a recent Court of Appeal judgement (R Hemming & Others Vs Westminster City Council).

2.3 Based upon the number of licences/registrations issued in 2013/14, it is calculated that the fees and charges regime needs to be amended; consequently, the proposed fees & charges regime is set out below.

<u>Licence Type</u>	<u>Existing Fee</u>	<u>Proposed Fee</u>
Sex Establishment Grant Application Fee	£2691.00	£1139.00
Sex Establishment Renewal Fee	£962.00	£804.00
Sex Establishment Transfer	£163.00	£522.00
Skin Piercing:		
Person Grant	£38.00	£37.00
Premises Grant	£94.00	£93.00
Street Trading:		
Street Trading Consent – Fixed Site (Merchandise)	£ 100.00	£120.00
Street Trading Consent -Fixed Site (Food)	£200.00	£195.00
Street Trading Consent – Mobile Site	£82.00	£83.00
Street Trading Consent – Programme Seller	£32.00	£32.00
Street Trading Licence	£759.00	£563.00
St Mary Street Market: 1 Month	£25	£46
3 Months	£60.00	£60.00
Cardiff City Football (2 Months –Merchandise Only)	£154.00	£150.00
Cardiff City Football (Season – Merchandise Only)	£396.00	£390.00
Animals:		
Animal Boarding Establishment	£264.00	£273.00
Domestic Animal Boarding	£123.00	£118.00
Dangerous Wild Animals	£431.00	£475.00
Dog Breeding Establishment	£291.00	£284.00
Pet Shops	£291.00	£338.00
Riding Establishment	£490.00	£447.00
Performing Animals	£45.00	£45.00
Zoo	£783.00	£1020.00

- 2.4 The fee for a new Sex Establishment licence is a ‘grant’ fee rather than an application fee. The Licensing Section will therefore refund a proportion of the fee (£367.00) if the license is refused.
- 2.5 In a number of cases licence fees are set by statute and the licence fee has not been amended in these circumstances.
- 2.6 Appendix A details the background papers for the fee calculations

3. Legal Implications

- 3.1 Regulation 18(4) of the Provision of Services Regulations 2009 provides that charges under an authorisation scheme must be reasonable and proportionate to, and not exceed, the cost of the procedures and formalities under the scheme. The fee charged cannot exceed the cost of the procedures, i.e. the steps which an applicant for a licence has to take if he wishes his application to be granted or his licence to be renewed. What a fee can include is the administrative costs involved, and the costs of vetting the applicants (in the case of applications) and the cost of investigating compliance with licence terms (in the case of renewals).
- 3.2 It should be noted that certain licensing activities are specifically excluded from the 2009 Regulations; these are taxi licensing, cinema licensing and gambling licensing.

4. Financial Implications.

- 4.1 The Licensing Service is required to be self financing within the limitations of statute.
- 4.2 It is essential that the new fees are set at a level which fully funds the costs of the service insofar as permissible by statute.

5. Recommendation

- 5.1. That the proposed fees and charges outlined in the report are approved with an implementation date of 1st April 2015

Dave Holland
HEAD OF REGULATORY AND SUPPORTING SERVICES

10th February 2015

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

Background Papers: None

Proposed New Fees within General Licensing

	Street Trading Licence	Street Trading Merch	Street Trading Food	Street Trading Mobile	Consent CCFC (2 months)	Consent CCFC (season)	St Mary's Street 3 month	St Mary's Street 1 month	Sex Establishment Grant	Sex Establishment Renewal	Sex Establishment Transfer	Animal Boarding Establishment	Domestic Animal Boarding Establishment	Pet Shop	Dog Breeders	Dangerous Wild Animals	Riding Establishment	Zoo	Skin Piercing Personal	Skin Piercing Premises	Total
No. of apps 2015/16	7	66	21	11	0	0	70	70	0	7	0	14	5	18	2	0	1	0	69	35	
Licensing staff unit cost	368.18	72.21	122.71	49.47	91.72	245.34	34.90	25.90	749.91	531.47	349.16	101.22	72.84	144.04	102.29	199.36	205.62	496.19	19.76	54.86	
Overheads unit cost	194.46	47.29	71.92	33.47	58.20	144.17	25.30	20.05	388.84	272.26	173.28	71.29	45.03	93.96	71.50	126.04	130.44	273.82	16.90	38.16	
Vet fee												100.00	100.00	100.00	110.00	150.00	111.00	250.00			
New Fee	563.00	120.00	195.00	83.00	150.00	390.00	60.00	46.00	1,139.00	804.00	522.00	273.00	118.00	338.00	284.00	475.00	447.00	1,020.00	37.00	93.00	
Break even check:																					
Total licensing staff cost	2,577.26	4,765.86	2,576.91	544.17	0.00	0.00	2,443.00	1,813.00	0.00	3,720.29	0.00	1,417.08	364.20	2,592.72	204.58	0.00	205.62	0.00	1,363.44	1,920.10	26,508.23
Overheads total cost	1,361.22	3,121.14	1,510.32	368.17	0.00	0.00	1,771.00	1,403.50	0.00	1,905.82	0.00	998.06	225.15	1,691.28	143.00	0.00	130.44	0.00	1,166.10	1,335.60	17,130.80
Vets fees total cost	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,400.00	0.00	1,800.00	220.00	0.00	111.00	0.00	0.00	0.00	3,631.00
Total income	3,941.00	7,920.00	4,095.00	913.00	0.00	0.00	4,200.00	3,220.00	0.00	5,628.00	0.00	3,822.00	590.00	6,084.00	568.00	0.00	447.00	0.00	2,553.00	3,255.00	47,236.00
Total	-2.52	-33.00	-7.77	-0.66	0.00	0.00	14.00	-3.50	0.00	-1.89	0.00	-6.86	-0.65	0.00	-0.42	0.00	0.06	0.00	-23.46	0.70	-65.97

**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda No.

PUBLIC PROTECTION COMMITTEE: 3 March 2015

Report of the County Solicitor

CONTROL OF STREET TRADING – CITY CENTRE STREET DESIGNATIONS

1. Background

- 1.1 At its meeting of 4th November 2014 the Committee authorised me to publish notice of its intention to pass resolutions to change the street designations of the following streets from ‘prohibited’ streets to ‘consent’ streets for the purpose of street trading, pursuant to Paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982:
- The Hayes
 - Trinity Street
 - Working Street
 - Hills Street
 - St John Street
 - Queen Street
 - Frederick Street
 - Park Place
 - Womanby Street
 - Lloyd George Avenue (from its junction at Hemingway Road South to Roald Dahl Plas)
- 1.2 The intention is for the changes to have effect from 7th April 2015.

2. Details.

- 2.1 In accordance with the statutory procedure a Public Notice was published stating the Committee’s intention in the South Wales Echo on 10th December 2014. Copies were also sent to the Police, the Chief Highways and Parks Officer, and the Chief Traffic and Transportation Officer. The Notice invited representations relating to the proposed resolutions to be made in writing by 12th January 2015. No representations were received.
- 2.2 It is intended that the change in street designations would allow greater flexibility for trading at events/activities organized by or in partnership with the City of Cardiff Council.

3. **Financial Implications**

- 3.1 The Council is empowered to charge such fees as it considers reasonable for the grant or renewal of a street trading licence or consent. The current fee for a fixed street trading consent in the city centre is £100 for merchandise and £200 for food for up to three consecutive days trading.
- 3.2 The cost of advertising the designation as required by statute and the cost of enforcing the designation will be met from the current budget. Expenditure is considered as part of the review of licence fees.

4. **Legal Implications**

- 4.1 The proposals are achievable provided the requisite statutory procedures are followed.
- 4.2 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 e.g. 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 tax payers; (h) be reasonable and proper in all the circumstances.
- 4.3 Any trader wishing to trade on an event day/activity site would need to obtain a street trading consent from the Licensing Section.

5. **Recommendations**

- 5.1 It is recommended that the matters be considered.
- 5.2 Should, following consideration of the matter, the Committee wish to proceed with the designations then in accordance with the statutory provisions of the Local Government (Miscellaneous) Provisions Act 1982, the Committee must pass the following Resolutions:
- 5.2.1 With effect from 7th April 2015 all previous resolutions designating all parts of The Hayes, Trinity Street, Working Street, Hills Street, St John Street, Queen Street, Park Place, Frederick Street, Womanby Street, Lloyd George Avenue (from its junction at Hemingway Road South to Roald Dahl Plas) as prohibited streets pursuant to Part III of the Local Government (Miscellaneous Provisions) Act 1982 are rescinded.
- 5.2.2 With effect from 7th April 2015 The Hayes, Trinity Street, Working Street, Hills Street, St John Street, Queen Street, Park Place, Frederick Street,

Womanby Street, Lloyd George Avenue (from its junction at Hemingway Road South to Roald Dahl Plas) be designated Consent Streets pursuant to Part III of the Local Government (Miscellaneous Provisions) Act 1982.

Shaun Jamieson
County Solicitor

27th January 2015

Background Papers

1. Minutes of the Public Protection Committee of 4th November 2014

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CARDIFF COUNCIL
CYNGOR CAERDYDD

PUBLIC PROTECTION SUB COMMITTEE: 3rd MARCH 2015

REPORT OF THE HEAD OF REGULATORY & SUPPORTING SERVICES

SKIN PIERCING REGISTRATIONS

The Committee is requested to note that the following applications have been agreed in accordance with the Head of Regulatory and Supporting Services Delegated Authority.

Personal:

Title Mr
First Name James
Surname Rowland
Premises Name 17 The Globe Centre

Title Ms
First Name Farida
Surname Ahmadi
Premises Name Claires Accessories

Title Ms
First Name Evie
Surname Kneller
Premises Name Claires Accessories

Title Miss
First Name Laura
Surname Tennant
Premises Name Duchess Incorporated

Title Ms
First Name Stacey
Surname Nicholls
Premises Name 227 Cyncoed Consultant

Premises:

Premises Name Duchess Incorporated
Premises Street Unit 1 Clares House
Premises Area West Bute Street
Premises City Cardiff Bay
Title Miss
First Name Hannah
Surname Bishop

Premises Name Perfect Harmony
Premises Street 227 Cyncoed Consultant Rooms
Premises Area Cyncoed Road
Premises City Cardiff
Title Ms
First Name Stacey
Surname Nicholls

CARDIFF COUNCIL
CYNGOR CAERDYDD

PUBLIC PROTECTION COMMITTEE: 3rd MARCH 2015

REPORT OF THE HEAD OF REGULATORY & SUPPORTING SERVICES

ANIMAL LICENCE APPLICATIONS

The Committee is requested to note that the following applications have been agreed in accordance with the Head of Regulatory and Supporting Services Delegated Authority.

Premises Name Aquapets
Premises Address 79 Merthyr Road
Premises Address Whitchurch
Premises Address Cardiff
Premises Post CF14 1DD
Type of Premises Pet Shop
Licensee Name Mr Jeffrey Edward Clarke
Ward Whitchurch & Tongwynlais

Premises Name Aquatic House
Premises Address 488 Cowbridge Road East
Premises Address Canton
Premises Address Cardiff
Premises Post CF5 1BL
Type of Premises Pet Shop
Licensee Name Mr Paul Bishop
Ward Canton

Premises Name Aquatic World
Premises Address 94c Crwys Road
Premises Address Cathays
Premises Address Cardiff
Premises Post CF24 4NQ
Type of Premises Pet Shop
Licensee Name Mr Richard Lee O'Driscoll
Ward Plasnewydd

Premises Name Boarding Centre
Premises Address Parkwall Road
Premises Address Nr Lisvane
Premises Address Cardiff
Premises Post CF14 0PJ
Type of Premises Animal Boarding Establishment
Licensee Name Ms Jane Bone
Ward Pontprennau & Old St. Mellons

Premises Name Cardiff Pets Warehouse
Premises Address 68-70 Cowbridge Road East
Premises Address Canton
Premises Address Cardiff
Premises Post CF11 9DU
Type of Premises Pet Shop
Licensee Name Mr Steven Anthony Lane
Ward Riverside

Premises Name Cardiff Riding School
Premises Address Pontcanna Fields
Premises Address Pontcanna
Premises Address Cardiff
Premises Post CF5 2AX
Type of Premises Riding Establishment
Licensee Name Mrs Gloria Garrington (City of Cardiff Council)
Ward Riverside

Premises Name Dogz n Dubz
Premises Address 17 Bassetts Field
Premises Address Thornhill
Premises Address Cardiff
Premises Post CF14 9UG
Type of Premises Animal Boarding Establishment
Licensee Name Mr Kevin Scott Kay
Ward Llanishen

Premises Name DP Aquatics
Premises Address 255-259 Central Market
Premises Address St Mary Street
Premises Address Cardiff
Premises Post CF10 2AU
Type of Premises Pet Shop
Licensee Name Mr David F Phillips
Ward Cathays

Premises Name Dragon Reptiles (Wales)
Premises Address Pughs Garden Centre
Premises Address Ty Nant Road
Premises Address Cardiff
Premises Post CF15 8LB
Type of Premises Pet Shop
Licensee Name Mr Simon Lee Parker
Ward Radyr & Morganstown

Premises Name F Janes & Son
Premises Address 595 Cowbridge Road East
Premises Address Victoria Park
Premises Address Cardiff
Premises Post CF5 1BE
Type of Premises Pet Shop
Licensee Name Mr Mohamed Saddique
Ward Canton

Premises Name Home from Home
Premises Address 15 Emerson Drive
Premises Address Caerau
Premises Address Cardiff
Premises Post CF5 5DJ
Type of Premises Animal Boarding Establishment
Licensee Name Mrs Helen Louise Davies
Ward Caerau

Premises Name Jackies Pet Care Services & Doggie Digs
Premises Address Highfields, 91 Mayflower Avenue
Premises Address Llanishen
Premises Address Cardiff
Premises Post CF14 5HR
Type of Premises Animal Boarding Establishment
Licensee Name Mrs Jaqueline Bishop
Ward Llanishen

Premises Name JFM Exotics
Premises Address 173 Cowbridge Road West
Premises Address Ely
Premises Address Cardiff
Premises Post CF5 5TB
Type of Premises Pet Shop
Licensee Name Mrs Nicola Clarke
Ward Caerau

Premises Name Lisvane Cattery
Premises Address Castlefield
Premises Address Graig Llwyn Road
Premises Address Lisvane
Premises Post Cardiff CF14 ORP
Type of Premises Animal Boarding Establishment
Licensee Name Miss Mandy Hawkins
Ward Pontprennau & Old St. Mellons

Premises Name Maidenhead Aquatics (New Premises)
Premises Address Pughs Garden Centre
Premises Address Morganstown
Premises Address Radyr, Cardiff
Premises Post CF15 8LB
Type of Premises Pet Shop
Licensee Name Mr Alexander Raymond James
Ward Radyr & Morganstown

Premises Name Miss Julie Trott (Wagging Tails)
Premises Address 16 Western Drive
Premises Address Gabalfa
Premises Address Cardiff
Premises Post CF14 2SE
Type of Premises Animal Home Boarding Establishment (one
Licensee Name Miss Julie Trott
Ward Gabalfa

Premises Name Mr Nigel Thomas
Premises Address 77 Pantmawr Road
Premises Address Cardiff
Premises Address CF14 7TB
Premises Post
Type of Premises Animal Boarding Establishment
Licensee Name Mr Nigel Thomas
Ward Whitchurch & Tongwynlais

Premises Name Mrs Alyson Adams
Premises Address 66 Llanedeyrn Road
Premises Address Cyncoed
Premises Address Cardiff
Premises Post CF23 9DY
Type of Premises Animal Home Boarding Establishment (one
Licensee Name Mrs Alyson Adams
Ward Pentwyn

Premises Name Mrs Catherine Elizabeth Rogers
Premises Address 26 Manor Way
Premises Address Whitchurch
Premises Address Cardiff
Premises Post CF14 1RG
Type of Premises Animal Home Boarding Establishment (one
Licensee Name Mrs Catherine Elizabeth Rogers
Ward Whitchurch & Tongwynlais

Premises Name Mrs Christine Rosaline Edwards
Premises Address 38 Philip Close
Premises Address Rhiwbina
Premises Address Cardiff
Premises Post CF14 4SD
Type of Premises Dog Breeding Establishment
Licensee Name Mrs Christine Rosaline Edwards
Ward Rhiwbina

Premises Name Mrs Patricia Ann Vaisto
Premises Address 38a Heol Hendre
Premises Address Rhiwbina
Premises Address Cardiff
Premises Post CF14 6PL
Type of Premises Animal Home Boarding Establishment (one
Licensee Name Mrs Patricia Ann Vaisto
Ward Rhiwbina

Premises Name Ms Belinda Jane Huxtable-Goy
Premises Address 120 Greenfarm Road
Premises Address Ely
Premises Address Cardiff
Premises Post CF5 4RJ
Type of Premises Animal Home Boarding Establishment (one
Licensee Name Ms Belinda Jane Huxtable-Goy
Ward Ely

Premises Name Ms Rebecca Davies
Premises Address 32a St Cadoc Road
Premises Address Heath
Premises Address Cardiff
Premises Post CF14 4NE
Type of Premises Animal Home Boarding Establishment (one
Licensee Name Ms Rebecca Davies
Ward Heath

Premises Name Pampurred Pets
Premises Address Pughs Garden Centre
Premises Address Ty Nant Nurseries
Premises Address Morganstown
Premises Post Cardiff CF15 8LB
Type of Premises Pet Shop
Licensee Name Mrs Karen Roy
Ward Radyr & Morganstown

Premises Name Pentyrch Boarding Kennels
Premises Address Maesteg House
Premises Address Tyn y Coed Road
Premises Address Pentyrch, Cardiff
Premises Post CF15 9NP
Type of Premises Animal Boarding Establishment
Licensee Name Henny Peters
Ward Pentyrch

Premises Name Pet Supermarket
Premises Address 219-229 Central Market
Premises Address St Mary Street
Premises Address Cardiff
Premises Post CF10 2AU
Type of Premises Pet Shop
Licensee Name Mr Ivor John Roberts
Ward Cathays

Premises Name Pet World
Premises Address 250-256 Cardiff Central Market
Premises Address St Mary Street
Premises Address Cardiff
Premises Post CF10 1AU
Type of Premises Pet Shop
Licensee Name Mr Ivor John Roberts
Ward Cathays

Premises Name Pets at Home
Premises Address Unit C, Cardiff Bay Retail Park
Premises Address Ferry Road
Premises Address Cardiff
Premises Post CF11 7JR
Type of Premises Pet Shop
Licensee Name Pets at Home Ltd
Ward Grangetown

Premises Name Pets at Home (Newport Road)
Premises Address Unit B, 481 Newport Road
Premises Address Cardiff
Premises Address CF23 9AA
Premises Post
Type of Premises Pet Shop
Licensee Name Pets at Home Ltd
Ward Penylan

Premises Name Pets at Home Ltd (Ty Glas)
Premises Address Ty Glas Retail Park
Premises Address Ty Glas Road
Premises Address Llanishen
Premises Post Cardiff, CF14 5ZB
Type of Premises Pet Shop
Licensee Name Pets at Home Ltd
Ward Llanishen

Premises Name Pinecroft Cattery
Premises Address Mountain Road
Premises Address Pentyrch
Premises Address Cardiff
Premises Post CF15 9QP
Type of Premises Animal Boarding Establishment
Licensee Name Mr John A O'Leary
Ward Pentyrch

Premises Name Reptile Cymru
Premises Address 391 Cowbridge Road East
Premises Address Canton
Premises Address Cardiff
Premises Post CF5 1JG
Type of Premises Pet Shop
Licensee Name Christy Bruckner
Ward Canton

Premises Name Shampooch Groomers
Premises Address 14 Penydarren Drive
Premises Address Whitchurch
Premises Address Cardiff
Premises Post CF14 2TT
Type of Premises Animal Boarding Establishment
Licensee Name Clare Mary Williams
Ward Whitchurch & Tongwynlais

Premises Name Slanwood Kennels
Premises Address Croft y Genau Road
Premises Address St Fagans
Premises Address Cardiff
Premises Post CF5 6DR
Type of Premises Animal Boarding Establishment
Licensee Name Mr Meirion Wheddon
Ward Creigiau & St. Fagans

Premises Name St Fagans Cattery
Premises Address Court Hill
Premises Address St Fagans
Premises Address Cardiff
Premises Post CF5 6DW
Type of Premises Animal Boarding Establishment
Licensee Name Mrs Annette Crompton
Ward Creigiau & St. Fagans

Premises Name Thonock
Premises Address Rhiwbina Hill
Premises Address Cardiff
Premises Address CF14 6UF
Premises Post
Type of Premises Animal Home Boarding Establishment (one
Licensee Name Mrs Laura Jane Twomlow
Ward Rhiwbina

CARDIFF COUNCIL
CYNGOR CAERDYDD

PUBLIC PROTECTION SUB COMMITTEE: 3rd MARCH 2015

REPORT OF THE HEAD OF REGULATORY & SUPPORTING SERVICES

STREET AND HOUSE TO HOUSE COLLECTION PERMIT APPLICATIONS

The Committee is requested to note that the following applications have been agreed in accordance with the Head of Regulatory and Supporting Services Delegated Authority.

Charity Name	Royal British Legion Poppy Appeal
Type of Collection	Street Collection Permit
Collection Date	31/10/2015
End Date	07/11/2015

Charity Name	Great Ormond Street Hospital
Type of Collection	Street Collection Permit
Collection Date	04/07/2015
End Date	04/07/2015

Charity Name	Winstons Wish
Type of Collection	Street Collection Permit
Collection Date	17/10/2015
End Date	17/10/2015

Charity Name	MS Society (Cymru)
Type of Collection	Street Collection Permit
Collection Date	01/08/2015
End Date	01/08/2015

Charity Name	Have a Heart
Type of Collection	Street Collection Permit
Collection Date	18/04/2015
End Date	18/04/2015

Charity Name	Royal Naval Association
Type of Collection	Street Collection Permit
Collection Date	23/05/2015
End Date	23/05/2015

Charity Name League of Friends (Whitchurch Hospital)
Type of Collection Street Collection Permit
Collection Date 06/06/2015
End Date 06/06/2015

Charity Name Children with Cancer UK
Type of Collection Street Collection Permit
Collection Date 10/10/2015
End Date 10/10/2015

Charity Name Royal Air Forces Association
Type of Collection Street Collection Permit
Collection Date 19/09/2015
End Date 19/09/2015

Charity Name The Phoenix Childrens Foundation
Type of Collection Street Collection Permit
Collection Date 30/05/2015
End Date 30/05/2015

Charity Name Kids
Type of Collection Street Collection Permit
Collection Date 21/11/2015
End Date 21/11/2015

Charity Name Meningitis Research Foundation
Type of Collection Street Collection Permit
Collection Date 21/03/2015
End Date 21/03/2015

Charity Name Breast Cancer Campaign
Type of Collection Street Collection Permit
Collection Date 09/05/2015
End Date 09/05/2015

Charity Name Llantwit Major School
Type of Collection Street Collection Permit
Collection Date 30/05/2015
End Date 30/05/2015

Charity Name	South Wales Intercultural Community Arts (SWICA)
Type of Collection	Street Collection Permit
Collection Date	08/08/2015
End Date	08/08/2015
Charity Name	Communities First
Type of Collection	Street Collection Permit
Collection Date	20/09/2015
End Date	20/09/2015
Charity Name	St Johns Ambulance Brigade
Type of Collection	Street Collection Permit
Collection Date	01/10/2015
End Date	01/10/2015
Charity Name	St Johns Ambulance Brigade
Type of Collection	Street Collection Permit
Collection Date	29/08/2015
End Date	29/08/2015
Charity Name	Cardiff and Vale University Health Board
Type of Collection	Street Collection Permit
Collection Date	18/01/2015
End Date	18/01/2015
Charity Name	Velindre Hospital
Type of Collection	Street Collection Permit
Collection Date	15/02/2015
End Date	15/02/2015
Charity Name	SHINE
Type of Collection	Street Collection Permit
Collection Date	07/03/2015
End Date	07/03/2015
Charity Name	Human Appeal International
Type of Collection	Street Collection Permit
Collection Date	05/07/2015
End Date	12/07/2015

Charity Name	NSPCC (Cymru)
Type of Collection	Street Collection Permit
Collection Date	04/04/2015
End Date	04/04/2015
Charity Name	RSPB
Type of Collection	Street Collection Permit
Collection Date	01/03/2015
End Date	31/08/2015
Charity Name	Caerphilly Junior Rugby Club
Type of Collection	Street Collection Permit
Collection Date	05/09/2015
End Date	05/09/2015
Charity Name	Velindre Hospital
Type of Collection	Street Collection Permit
Collection Date	02/05/2015
End Date	02/05/2015
Charity Name	The Phoenix Childrens Foundation
Type of Collection	Street Collection Permit
Collection Date	18/09/2015
End Date	18/09/2015
Charity Name	Tact Cymru Fostering
Type of Collection	Street Collection Permit
Collection Date	21/05/2015
End Date	21/05/2015
Charity Name	Ty Hafan
Type of Collection	Street Collection Permit
Collection Date	24/05/2015
End Date	24/05/2015
Charity Name	Llantwit Major School
Type of Collection	Street Collection Permit
Collection Date	13/06/2015
End Date	13/06/2015

Charity Name	RSPB
Type of Collection	Street Collection Permit
Collection Date	10/02/2015
End Date	10/02/2015
Charity Name	RSPB
Type of Collection	Street Collection Permit
Collection Date	06/03/2015
End Date	06/03/2015
Charity Name	RSPB
Type of Collection	Street Collection Permit
Collection Date	10/03/2015
End Date	10/03/2015
Charity Name	Cancer Research & Genetics UK
Type of Collection	House to House Collection Permit
Collection Date	16/02/2015
End Date	16/12/2015
Charity Name	Royal Naval Association
Type of Collection	Street Collection Permit
Collection Date	26/09/2015
End Date	26/09/2015
Charity Name	Hope Rescue
Type of Collection	Street Collection Permit
Collection Date	12/09/2015
End Date	12/09/2015
Charity Name	British Red Cross
Type of Collection	Street Collection Permit
Collection Date	08/05/2015
End Date	09/05/2015
Charity Name	Comic Relief
Type of Collection	Street Collection Permit
Collection Date	13/03/2015
End Date	13/03/2015

Charity Name	Human Relief Foundation
Type of Collection	Street Collection Permit
Collection Date	04/07/2015
End Date	04/07/2015
Charity Name	Dig Deep (Africa)
Type of Collection	House to House Collection Permit
Collection Date	01/03/2015
End Date	31/03/2015
Charity Name	Greyhound Rescue Wales
Type of Collection	Street Collection Permit
Collection Date	03/10/2015
End Date	03/10/2015
Charity Name	Greyhound Rescue Wales
Type of Collection	Street Collection Permit
Collection Date	14/11/2015
End Date	14/11/2015
Charity Name	Greyhound Rescue Wales
Type of Collection	Street Collection Permit
Collection Date	12/04/2015
End Date	12/04/2015
Charity Name	Hope Rescue
Type of Collection	Street Collection Permit
Collection Date	22/03/2015
End Date	22/03/2015
Charity Name	Breast Cancer Campaign
Type of Collection	House to House Collection Permit
Collection Date	01/05/2015
End Date	10/03/2016
Charity Name	Cancer Research UK
Type of Collection	Street Collection Permit
Collection Date	03/04/2015
End Date	03/04/2015