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Caerdydd
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AGENDA

Committee	PUBLIC PROTECTION COMMITTEE
Date and Time of Meeting	TUESDAY, 7 APRIL 2015, 10.30 AM
Venue	COMMITTEE ROOM 1 - COUNTY HALL
Membership	Councillor Parry (Chair) Councillors Manzoor Ahmed, Boyle, Bridges, Howells, Hudson, McGarry, Morgan, Murphy, Phillips and Simmons

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 - 16)

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

4 Central Square Designation

(Pages 17 - 20)

5 Central Square to Working Street Designation

(Pages 21 - 30)

6 Designation of Licensed Streets for the Purposes of Street Trading

(Pages 31 - 36)

7 Skin Piercing Registrations

(Pages 37 - 38)

8 Street and House to House Collection Licence Applications

(Pages 39 - 42)

Date of next meeting - Tuesday, 2 June 2015

Marie Rosenthal

County Clerk & Monitoring Officer

Date: 31 March 2015

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

PUBLIC PROTECTION COMMITTEE

3 MARCH 2015

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

56 Apologies for Absence

No apologies for absence were received.

57 Declarations of Interest

No declarations of interest were received.

58 Minutes

The minutes of the meetings held on 6 January and 3 February 2015 were approved by the Committee as a correct record and were signed by the Chairperson.

59 WAO Report - Delivering with Less

The Welsh Audit Office (WAO) had recently conducted an audit and report on the impact that cuts in resources was having on the ability of the authority's Environmental Health Service to delivery their statutory obligations. The WAO report was published in October 2014 and received significant coverage in the media. Individual authority reports were subsequently made available. The Cardiff report provided a summary of the overall national level finding and compares this with the findings for Cardiff Council.

Members were advised that the audit report concluded that Cardiff Council is 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 authority will find it difficult to take on new statutory duties in the future. The reasons supporting this conclusion and a summary of the future challenges facing the service were set out in the report.

The Chairperson welcomed Nick Selwyn, WAO Project Manager and Bethan Jones, Operational Manager, Regulatory Commercial Services to the meeting. Nick Selwyn was invited to deliver a presentation on the audit process, its findings and actions already taken to address some of the issues raised. A copy of the presentation was appended to the report.

The Chairperson invited Members of the Committee to raise questions or seek further clarification on the information received. Those discussions are summarised as follows:

- Members questioned why there appeared to be a divergence between the performance and the public perception of the service. Members were advised that best practice standards measure compliance against legislation. The public was not always aware of all the work carried out by Environmental Health but may have experienced bad service, for example in relation to waste management issues, which

fall outside the remit of the service.

- Members sought the views of officers regarding the results of the staff survey. Cardiff's responses were significantly less positive than the responses in other authorities. Committee was advised that these results were set against a climate of senior leadership change and the Regulatory Services collaboration project, which, it was considered, may have left staff feeling vulnerable. The survey was undertaken between December 2012 and March 2013. At that time the workforce package was in the process of being implemented which led to the removal of professional fees for staff and other changes to their terms and conditions.

Bethan Jones stated that she had discussed the results of the survey with all staff and had invited suggestions on how to improve things. To date, one suggestion has been received.

- Members were advised that all areas of the service were part of the Regulatory Services collaboration project, other than Cardiff Dogs Home and the Pest Control Service. Officers felt that opportunities existed to harmonise services over a large geographical area.

RESOLVED – That the Committee notes the findings of the Welsh Audit Office's 'Delivering for Less' report.

60 Sex Establishment Licence Renewal Application - Colin's Books

An annual review application in respect of Colin's Books, Caroline Street was received on 12 January 2015. Statutory Notice of the application was published in the South Wales Echo and a notice was displayed at the premises. During the consultation period an objection to the application was received.

The Committee considered the merits of the application and the objection received.

RESOLVED – That the Sex Establishment renewal application in respect of Colin's Books, Caroline Street be approved.

61 Roof Mounted LCD Advertising

An application for the approval to fit roof mounted dual sided LCD advertising screens to TX1, TX2 and TX4 Hackney Carriage Vehicles was received from Mr Michael Smith, Managing Director of Open Taxi Tops Ltd. The proposed system would also enable customers and the driver to have wifi internet access and a charging point for mobile telephones.

Members were advised that Mr Smith had been in the advertising industry for 10 years and has a large client base ranging from small businesses to blue chip companies. Liverpool Council granted approval for his roof mounted dual LCD screens in December 2014.

Further details of the application were set out in the report. A vehicle with the system fitted was presented for inspection prior to the commencement of the meeting.

RESOLVED – That the application made by Open Taxi Tops Ltd to allow Dual Sided LCD

advertising top boxes on TX1, TX2 and TX4 hackney carriage vehicles be approved.

62 Full Livery Advertising

An application was received from Mr Micky Harris of Ubiquitous Ltd for full livery advertising on wheelchair accessible hackney carriage vehicles. The authority currently only permits full livery advertising on London style taxis such as TX1 and FX4.

The Committee invited representations from Mr Harris. Mr Harris stated that there were few London style taxis operating in Cardiff. Many drivers were opting to drive Eurocab and E7 style vehicles, and whilst these vehicles can display 'Megaside' advertising, this was not popular with his clients. Mr Harris felt that, if approved, full livery advertising would provide drivers with welcomed additional income.

Mr Harris provided artwork and photographic examples of vehicles fitted with full livery advertising.

Members were advised that in February 2014 the Committee refused a similar application. Members were asked to consider the effect permitting full livery advertising would have on members of the public, particularly in terms of identifying such vehicles as hackney carriages. For comparison purposes, the report provided details of the full livery restrictions in place in other authorities.

The Committee discussed the merits of the application. Members were concerned that all-over livery would affect the appearance of the vehicle to such an extent as to put public safety at risk.

RESOLVED – That the application for full livery advertising on all wheelchair accessible vehicles by Ubiquitous Ltd be refused.

63 Review of General Licence Fees

The Committee received a report and Members were asked to consider setting the licence and registration fees and charges. General fees and charges were last amended in September 2013. The revision of the fees was seeking to ensure that the costs of providing the service will, so far as it is possible, be met from fees and charges income.

Following a complete reassessment of the costs of the service, including a financial assessment of the time allocations for staff, internal charges and other associated costs, the current fees and charges were reviewed. Based upon the number of licences/registrations issued during 2013/14 fees and charges were reviewed and revised fees and charges were set out in the report.

RESOLVED – That the proposed fees and charges outlined in the report be approved with an implementation date of 1 April 2015.

64 Street Trading Designations - City Centre Streets

The Committee on 4 November 2014 authorised publication of its intention to pass resolutions to change the street designations of streets in the City Centre from 'prohibited' streets to 'consent' streets for the purposes of street trading.

In accordance with the statutory procedure a Public Notice was published stating the Committee's intention in the South Wales Echo on 10 December 2014. The notice invited representations relating to the proposed resolutions. No representations were received.

RESOLVED – That:

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.
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.

65 Skin Piercing Registrations

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

1. J Rowland
The Globe Centre
Personal Registration
2. F Ahmadi
Claire's Accessories
Personal Registration
3. E Kneller
Claire's Accessories
Personal Registration
4. S Nicholls
Cyncoed Consultant
Personal Registration
5. Duchess Incorporated
West Bute Street
Premises Registration
6. Perfect Harmony
Cyncoed Road
Premises Registration

66 Animal Licence Applications

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

Aquapets
79 Merthyr Road
Whitchurch
Cardiff
CF14 1DD
Pet Shop

Aquatic House
488 Cowbridge Road East
Canton
Cardiff
CF5 1BL
Pet Shop

Aquatic World
94c Crwys Road
Cathays
Cardiff
CF24 4NQ
Pet Shop

Boarding Centre
Parkwall Road
Nr Lisvane
Cardiff
CF14 0PJ
Animal Boarding Establishment

Cardiff Pets Warehouse
68-70 Cowbridge Road East
Canton
Cardiff
CF11 9DU
Pet Shop

Cardiff Riding School
Pontcanna Fields
Pontcanna
Cardiff
CF5 2AX
Riding Establishment

Dogz n Dubz
17 Bassetts Field
Thornhill
Cardiff

CF14 9UG
Animal Boarding Establishment

DP Aquatics
255-259 Central Market
St Mary Street
Cardiff
CF10 2AU
Pet Shop

Dragon Reptiles (Wales)
Pughs Garden Centre
Ty Nant Road
Cardiff
CF15 8LB
Pet Shop

F Janes & Son
595 Cowbridge Road East
Victoria Park
Cardiff
CF5 1BE
Pet Shop

Home from Home
15 Emerson Drive
Caerau
Cardiff
CF5 5DJ
Animal Boarding Establishment

Jackies Pet Care Services & Doggie Digs
Highfields, 91 Mayflower Avenue
Llanishen
Cardiff
CF14 5HR
Animal Boarding Establishment

JFM Exotics
173 Cowbridge Road West
Ely
Cardiff
CF5 5TB
Pet Shop

Lisvane Cattery
Castlefield
Graig Llwyn Road
Lisvane
Cardiff CF14 0RP
Animal Boarding Establishment

Maidenhead Aquatics (New Premises)
Pughs Garden Centre
Morganstown
Radyr, Cardiff
CF15 8LB
Pet Shop

Miss Julie Trott (Wagging Tails)
16 Western Drive
Gabalfa
Cardiff
CF14 2SE
Animal Home Boarding Establishment

Mr Nigel Thomas
77 Pantmawr Road
Cardiff
CF14 7TB
Animal Boarding Establishment

Mrs Alyson Adams
66 Llanedeyrn Road
Cyncoed
Cardiff
CF23 9DY
Animal Home Boarding Establishment

Mrs Catherine Elizabeth Rogers
26 Manor Way
Whitchurch
Cardiff
CF14 1RG
Animal Home Boarding Establishment

Mrs Christine Rosaline Edwards
38 Philip Close
Rhiwbina
Cardiff
CF14 4SD
Dog Breeding Establishment

Mrs Patricia Ann Vaisto
38a Heol Hendre
Rhiwbina
Cardiff
CF14 6PL
Animal Home Boarding Establishment

Ms Belinda Jane Huxtable-Goy
120 Greenfarm Road
Ely
Cardiff

CF5 4RJ
Animal Home Boarding Establishment

Ms Rebecca Davies
32a St Cadoc Road
Heath
Cardiff
CF14 4NE
Animal Home Boarding Establishment

Pampurred Pets
Pughs Garden Centre
Ty Nant Nurseries
Morganstown
Cardiff CF15 8LB
Pet Shop

Pentyrch Boarding Kennels
Maesteg House
Tyn y Coed Road
Pentyrch, Cardiff
CF15 9NP
Animal Boarding Establishment

Pet Supermarket
219-229 Central Market
St Mary Street
Cardiff
CF10 2AU
Pet Shop

Pet World
250-256 Cardiff Central Market
St Mary Street
Cardiff
CF10 1AU
Pet Shop

Pets at Home
Unit C, Cardiff Bay Retail Park
Ferry Road
Cardiff
CF11 7JR
Pet Shop

Pets at Home (Newport Road)
Unit B, 481 Newport Road
Cardiff
CF23 9AA
Pet Shop

Pets at Home Ltd (Ty Glas)

Ty Glas Retail Park
Ty Glas Road
Llanishen
Cardiff, CF14 5ZB
Pet Shop

Pinecroft Cattery
Mountain Road
Pentyrch
Cardiff
CF15 9QP
Animal Boarding Establishment

Reptile Cymru
391 Cowbridge Road East
Canton
Cardiff
CF5 1JG
Pet Shop

Shampooch Groomers
14 Penydarren Drive
Whitchurch
Cardiff
CF14 2TT
Animal Boarding Establishment

Slanwood Kennels
Croft y Genau Road
St Fagans
Cardiff
CF5 6DR
Animal Boarding Establishment

St Fagans Cattery
Court Hill
St Fagans
Cardiff
CF5 6DW
Animal Boarding Establishment

Thonock
Rhiwbina Hill
Cardiff
CF14 6UF
Premises Post
Animal Home Boarding Establishment

67 Street and House to House Collection Permit Applications

The Committee noted the actions taken by the Head of Regulatory and Supporting

Services in respect of the following application:

Royal British Legion Poppy Appeal
Street Collection Permit
31/10/2015
07/11/2015

Great Ormond Street Hospital
Street Collection Permit
04/07/2015
04/07/2015

Winstons Wish
Street Collection Permit
17/10/2015
17/10/2015

MS Society (Cymru)
Street Collection Permit
01/08/2015
01/08/2015

Have a Heart
Street Collection Permit
18/04/2015
18/04/2015

Royal Naval Association
Street Collection Permit
23/05/2015
23/05/2015

League of Friends (Whitchurch Hospital)
Street Collection Permit
06/06/2015
06/06/2015

Children with Cancer UK
Street Collection Permit
10/10/2015
10/10/2015

Royal Air Forces Association
Street Collection Permit
19/09/2015
19/09/2015

The Phoenix Childrens Foundation
Street Collection Permit
30/05/2015
30/05/2015

Kids

Street Collection Permit

21/11/2015

21/11/2015

Meningitis Research Foundation

Street Collection Permit

21/03/2015

21/03/2015

Breast Cancer Campaign

Street Collection Permit

09/05/2015

09/05/2015

Llantwit Major School

Street Collection Permit

30/05/2015

30/05/2015

South Wales Intercultural Community Arts (SWICA)

Street Collection Permit

08/08/2015

08/08/2015

Communities First

Street Collection Permit

20/09/2015

20/09/2015

St Johns Ambulance Brigade

Street Collection Permit

01/10/2015

01/10/2015

St Johns Ambulance Brigade

Street Collection Permit

29/08/2015

29/08/2015

Cardiff and Vale University Health Board

Street Collection Permit

18/01/2015

18/01/2015

Velindre Hospital

Street Collection Permit

15/02/2015

15/02/2015

SHINE

Street Collection Permit

07/03/2015

07/03/2015

Human Appeal International

Street Collection Permit

05/07/2015

12/07/2015

NSPCC (Cymru)

Street Collection Permit

04/04/2015

04/04/2015

RSPB

Street Collection Permit

01/03/2015

31/08/2015

Caerphilly Junior Rugby Club

Street Collection Permit

05/09/2015

05/09/2015

Velindre Hospital

Street Collection Permit

02/05/2015

02/05/2015

The Phoenix Childrens Foundation

Street Collection Permit

18/09/2015

18/09/2015

Tact Cymru Fostering

Street Collection Permit

21/05/2015

21/05/2015

Ty Hafan

Street Collection Permit

24/05/2015

24/05/2015

Llantwit Major School

Street Collection Permit

13/06/2015

13/06/2015

RSPB

Street Collection Permit

10/02/2015

10/02/2015

RSPB
Street Collection Permit
06/03/2015
06/03/2015

RSPB
Street Collection Permit
10/03/2015
10/03/2015

Cancer Research & Genetics UK
House to House Collection Permit
16/02/2015
16/12/2015

Royal Naval Association
Street Collection Permit
26/09/2015
26/09/2015

Hope Rescue
Street Collection Permit
12/09/2015
12/09/2015

British Red Cross
Street Collection Permit
08/05/2015
09/05/2015

Comic Relief
Street Collection Permit
13/03/2015
13/03/2015

Human Relief Foundation
Street Collection Permit
04/07/2015
04/07/2015

Dig Deep (Africa)
House to House Collection Permit
01/03/2015
31/03/2015

Greyhound Rescue Wales
Street Collection Permit
03/10/2015
03/10/2015
Greyhound Rescue Wales
Street Collection Permit

14/11/2015

14/11/2015

Greyhound Rescue Wales

Street Collection Permit

12/04/2015

12/04/2015

Hope Rescue

Street Collection Permit

22/03/2015

22/03/2015

Breast Cancer Campaign

House to House Collection Permit

01/05/2015

10/03/2016

Cancer Research UK

Street Collection Permit

03/04/2015

03/04/2015

PUBLIC PROTECTION SUB COMMITTEE

3 FEBRUARY 2015

Present: County Councillors Parry (Chairperson),
Manzoor Ahmed and Murphy

PPSC33 : 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)”.

PPSC34 : HACKNEY CARRIAGE/PRIVATE HIRE MATTERS

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

- (1) Application 1
No further action.
- (2) Application 2
Adjourned for 1 month.
- (3) Application 3
Licence suspended for 3 weeks.

PPSC35 : LEGAL PROCEEDINGS AND ENFORCEMENT ACTIONS

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

.....
Chairperson

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda No.

PUBLIC PROTECTION COMMITTEE: 7th April 2015

Report of the County Solicitor

STREET TRADING DESIGNATION – CENTRAL SQUARE

1. Background

1.1 At its meeting of 6th January 2015 the Committee authorised me to publish notice of its intention to pass a resolution to change the street designation of the part of Central Square currently designated a licence street to a prohibited street pursuant to Paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The change is required due to the pending redevelopment of the Central Square area.

1.2 The intention is for the change to have effect from 1st June 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 6th February 2015. Copies were also sent to the Police, the Chief Officer Strategic Planning, Traffic & Transportation. The Notice invited representations relating to the proposed resolutions to be made in writing by 6th March 2015.

2.2 A written objection from Mr Timothy Harris (the current licensed street trader on Central Square) was received outside the deadline for representations on 9th March 2015. His letter is detailed in Appendix A. The Committee is not obliged to consider the letter as it has been received out of time but it may choose to do so if it wishes.

2.3 The Committee will consider a subsequent report regarding the relocation of Mr Harris's street trading site.

2.4 If the Committee decide to proceed with designating Central Square as a prohibited street it will be illegal for Mr Harris to continue to trade from his current site once the change comes into effect.

3. **Financial Implications**

3.1 The fee for an annual street trading licences that were renewed before 1st April 2015 was £759.00. Mr Harris's licence was renewed on 1st January 2015. If the street designation is changed before the licence expires on 31st December 2015, a pro-rata amount of the compliance element of the licence fee will be refunded to the trader.

3.2 The cost of advertising the designation is met from the existing budget.

4. **Legal Implications**

4.1 The legal implications appear in the body of this report

5. **Recommendations**

5.1 It is recommended that the matter is 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 Resolution:

5.2.1 With effect from 1 June 2015 all previous resolutions designating those parts of Central Square, Cardiff as a Licence Street, for the purposes of Part III of the Local Government (Miscellaneous Provisions) Act 1982 are rescinded.

5.2.2 With effect from 1 June 2015, all parts of Central Square, Cardiff be designated a Prohibited Street pursuant to Part III of the Local Government (Miscellaneous Provisions) Act 1982

Shaun Jamieson
County Solicitor

09 March 2015

Background Papers

1. Minutes of the Public Protection Committee of 6 January 2015

To Shaun Jamieson
(County Solicitor)

County Hall
Cardiff CF10 4UW

From Mr Timothy Harris



Ref AJ507

4 March 2015

RE STREET TRADING CENTRAL SQUARE
CARDIFF - Proposed Resolution

Dear Mr Jamieson

I should like to object to the
Proposed Resolution to Ban
Street Trading in Central SQ
Cardiff, as I hold a Street
Trading Licence for Central Square
and the proposed re-designation/
resolution will leave me unemployed.
I am in talks with Clare Hartrey
(licencing) regarding relocation
but nothing definite to date
has been agreed

Yours sincerely

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**CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD
PUBLIC PROTECTION COMMITTEE: 7th April 2015**

Agenda No.

Report of the Head of Regulatory and Supporting Services

STREET TRADING DESIGNATION – CENTRAL SQUARE REDEVELOPMENT

1. Background

- 1.1 At its meeting of 6th January 2015 the Committee agreed its intention to change the street designation of part of Central Square from a licence street to a prohibited street.
- 1.2 The reason for the change is the forthcoming redevelopment of the Central Square area, due to start Summer 2015, which will mean that the current licensed street trader, Mr Timothy Harris, will no longer be able to trade from that location. Mr Harris is licensed to sell hot drinks and hot food such as jacket potatoes and burgers.
- 1.3 There is also a licensed street trader, Mrs Paula Yeates, located on Great Western Lane. Mrs Yeates is currently licensed to sell fruit, vegetables and flowers from her stall. Her trading pitch will be affected during the second phase of the redevelopment (expected end of 2015/beginning 2016); relocation will need to be considered at a later date.
- 1.4 Council Officers have had a number of meetings to try to identify suitable alternative trading locations for Mr Harris's stall; Working Street has been identified as the only viable option.
- 1.5 The Committee is requested to consider the relocation of Mr Harris's trading site.

2. Consideration of Alternative Sites

- 2.1 Officers from Licensing, City Centre Management, Highways and Major Projects have met to discuss possible alternative sites for the trader. When determining suitable locations consideration has been given to the following: the amount of footfall in the area, existing power supply, risk of obstruction, surrounding businesses, location of City Centre events/activity sites, vehicle access, the likelihood of objections to the change in street designation/Traffic Regulation Order and whether any future development will take place in those areas. As a result, only Working Street within the City Centre has been considered suitable.

Alternative sites suggested by Mr Harris such as Hill Street, The Friary, Frederick Street and Churchill Way have all been considered by Officers but have been ruled out for various reasons such as lack of power supply, current location of Council Activity Sites and possible future redevelopment.

- 2.2 Working Street has the highest footfall within the City Centre. It runs from the Hayes at the Old Library to St Johns Street at the corner of St John's Church. Part of the street is currently designated as a licence street for an existing licensed street trader selling fruit and vegetables adjacent to St John's Gardens, the rest of the street is designated a prohibited street.
- 2.4 Working Street is the location of the annual Cardiff Christmas Market which runs for 3 weeks along St Johns Street, Working Street and part of The Hayes. The Market also runs for a week in the Spring and 2 weeks in August. The existing licensed trader is positioned in a purpose built hut that fits in with the market-style trading receptacles, and effectively becomes part of the Market during that time.
- 2.5 There is an existing power supply available for street traders in Working Street. It is considered that a suitable location for a new street trading pitch would be adjacent to the existing licensed trader as shown in the Plan in Appendix A.
- 2.6 Although there are no other permanent food outlets other than the existing street trader on Working Street, there are numerous food outlets in the surrounding streets such as the Hayes Island Snack Bar, Greggs (St John Street) and outlets within Queens Arcade and Central Market. A number of the Christmas Market Traders also sell food.

3. Consultation

- 3.1 Mr Harris has been consulted regarding the development plans and has been asked for his views on the suggested relocation sites. He has accepted the offer of Working Street as an alternative trading site.

4. Legal Implications

- 4.1 There is no statutory requirement for the Council to relocate the street traders that are affected by the Central Square Redevelopment. However it is acknowledged that people's livelihoods are at stake and consideration of suitable relocation sites has been made by Officers.
- 4.2 If the Committee are minded to relocate Mr Harris to Working Street the Committee must indicate its intention to change the street designation of that part of Working Street to a Licence Street.
- 4.3 Licensed street trading must take place in accordance with Cardiff's Street Trading Licence Conditions detailed in Appendix B

5 Financial Implications.

- 5.1 The Licensing Section is required to be self-financing within the limitations of statute.
- 5.2 The current fee for an annual street trading licence is £563.00.

6. Recommendation

- 6.1 It is recommended that the Committee:

Consider the relocation of Mr Harris's street trading site to Working Street, and if approved, the Committee agree an intention to:

- a) Rescind the current designation as a prohibited street for the purposes of street trading of the area of 6 square metres on Working Street's south west side from a point 5 metres of its junction with the footpath known as Dead Mans Walk for a distance of 3 metres south east
- b) Designate the area of 6 square metres on Working Street's south west side from a point 5 metres of its junction with the footpath known as Dead Mans Walk for a distance of 3 metres south east, as a Licence Street for the purposes of street trading..
- c) Authorise the County Solicitor 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.

Dave Holland

19th March 2015

HEAD OF REGULATORY AND SUPPORTING SERVICES

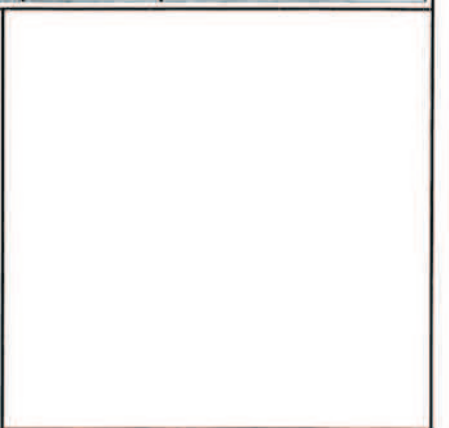
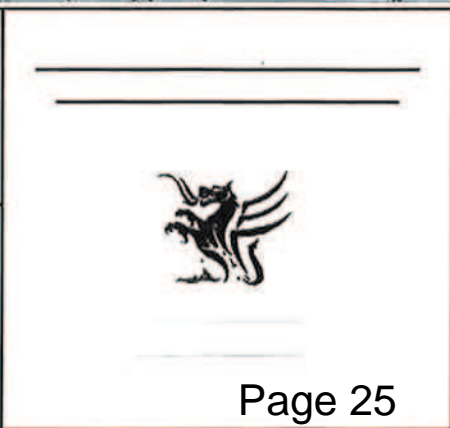
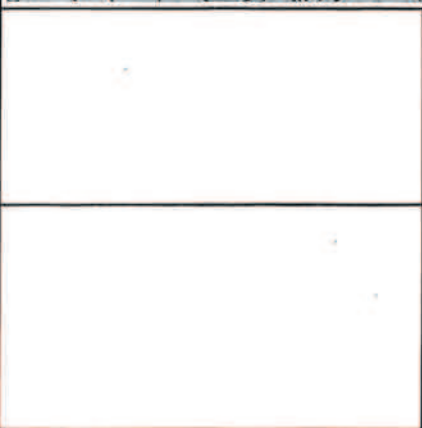
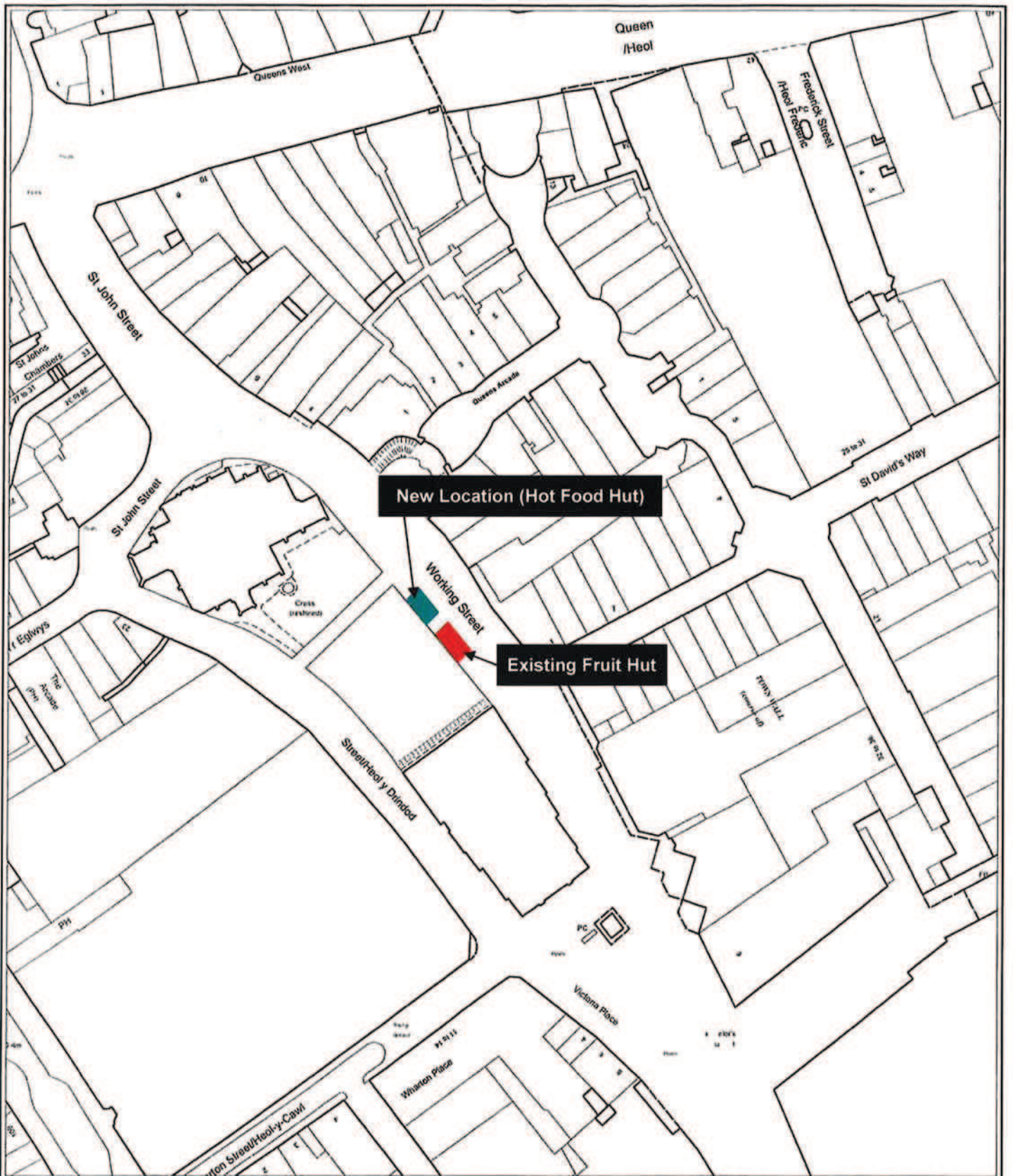
This report has been prepared in accordance with procedures approved by Corporate Managers.

Appendix A – Plan of Working Street

Appendix B – Street Trading Licence conditions

Background Papers: Public Protection Committee 6th January 2015: Report of the Head of Regulatory and Supporting Services: Street Trading Designation –Central Square

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**CITY AND COUNTY OF CARDIFF
STREET TRADING LICENCE STANDARD CONDITIONS
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 SCHEDULE
4**

- General** 1. The grant of a Street Trading Licence shall not be deemed to give any approval or consent which may be needed under any By-law, enactment or regulation other than Part 3, Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- For the avoidance of doubt, this includes the requirement to seek and obtain planning permission and/or advertisement consent.
- Commodities** 2. Only those goods specified on the licence may be sold on the licensed Street Trading area. All commodities must comply with current Consumer Protection legislation. *(For advice and information, contact Trading Standards on 029 208720059)*
- Day and Times** 3. Trading may only take place on the days and during the times specified on the Licence.
- Nature and type of receptacle** 4. Any receptacle used by the licence holder must be of a type and style approved in writing by the Council and positioned entirely within the licensed area.
- Position** 5. The trader shall trade only from the position indicated on the licence.
- Size of trading area** 6. The area occupied by the licensed trader must not exceed 3.20 metres in length x 2 metres in width x 2.90 metres in height.
- The receptacle used for trading must be erected so as not to protrude or project outside the limits of the licensed area in any way.
- All goods, containers (except refuse containers used solely for the purpose) or other articles that may be placed alongside or around a receptacle shall be contained within the licensed area of 3.20 metres in length x 2 metres in width x 2.90 metres in height and shall not project beyond.
- Removal** 7. Stalls shall be easily and immediately removable.
- Traders or their assistants shall remove the stall and goods for so long as may be necessary in the event of an emergency or in exercise of the Council's powers and duties, if reasonably required to do so by a police officer or a duly authorised officer of the Council.
- Traders or their assistants shall remove the stall and goods within a reasonable time after the expiry of the time for trading specified in the Licence, if reasonably required to do so by a duly authorised officer of the council.
- Traders's Vehicle** 8. A licensed trader shall not leave his vehicle in the street in which he trades, apart from in approved parking spaces, except for the purpose of loading and unloading goods. Such loading and unloading shall be carried out as quickly as possible and the vehicle removed immediately on completion. This condition shall not apply when waiting restrictions are in force.
- Licence holder** 9. The licensed trader may employ any other person to assist in the conduct of the business but may not let, assign or part with his interest or possession under this Licence or any part thereof but he may surrender it at any time. The rights granted by the Licence cannot be sublet, transferred or shared with

any other person or party and is personal to the licence holder(s).

- Change of Address**
10. Traders shall notify the Council of any permanent change of address as soon as it occurs.
- Assistant(s)**
11. Traders shall notify the Council of any changes of assistants or employees with their full names and addresses as soon as the changes occur.
- Conduct**
12. Traders and any assistants employed by them shall ensure the public and Council officers are treated fairly and with courtesy.
Traders shall ensure that their staff are competent, courteous and helpful.
- Refuse and Waste**
13. The trader shall keep the site at all times clean and tidy and free from litter; provide adequate facilities for the hygienic storage of refuse, ensure that they do not become overfilled and at the end of each trading day and as often as may be necessary during each trading day properly dispose of all refuse including cooking oils etc. in an authorised manner. The trader shall comply with all requirements of the Environmental Protection Act 1990 with respect to Duty of Care. *(For advice and information, contact the Environment Agency on 029 20770088). (For advice and information, on commercial waste arrangements contact the Commercial Waste Section on 029 20775444).*
- The trader shall collect and similarly properly dispose of all wrappings and litter within a 5 metre radius of the site (and beyond where it is the result of the trader's activities from the site) at the end of each trading day and as often as may be necessary during each trading day so as to keep and leave the street in a clean and tidy condition.
- The trader or his assistant shall comply with any directions given by the Council from time to time regarding the handling, storage and removal of the refuse.
- Food Hygiene**
14. Food trading businesses must achieve a food hygiene rating of at least 3 under the National Food Hygiene Rating System (or equivalent if business registered outside England, Wales or N Ireland).
- The trader shall comply with all requirements of the Food Hygiene (Wales) Regulations 1996, General Food Regulations 2004, Regulation (EC) 852/2004 & Regulation 178/2002. All traders (food) shall give details to the appropriate registration authority having regard to Article 6 Regulation (EC) No 852/2004. *(For advice and information, contact Food Hygiene on 029 20871128).*
- Nuisance**
15. The licensed trader shall not undertake any action or activity on the street, including trading from the site in a manner which, in the opinion of the Council causes an obstruction in the street or constitutes a danger, nuisance, annoyance or inconvenience to the Council or to the owners or occupiers of any adjacent or neighbouring premises or to members of the public.
- Highway surface**
16. The licensed trader or his assistant shall not make any excavations or indentations of any description whatsoever in the surface of the highway or place or fix any equipment of any description on or in the said surface.
- Display of Sign**
17. The trader shall have legibly and prominently displayed on his receptacle a notice showing his name and the licence number of his/her Street Trading Licence.
- Advertisements**
18. No advertisement shall be displayed on the licensed pitch which relates to any goods, commodities or services other than those offered for sale or provided on that pitch.

- Liquefied Petroleum Gas**
19. Traders shall ensure that they comply with the requirements of the Council's guidance document on the safe use, handling, storage and transportation of Liquefied Petroleum Gas used in mobile catering units or similar units. *(For advice and information contact Health and Safety on Cardiff 029 20871126)*
- Health & Safety**
20. The receptacle shall be of sound construction and erected and maintained in a condition so as to protect the health and safety of employer, employees and members of the public.
- If freestanding canopies, umbrella or any other portable structures are used, they must be erected and maintained in accordance with the manufacturers instructions. Where ground sockets are used to secure such equipment, permission must be obtained from the Head of Highways and Parks, County Hall, Atlantic Wharf, Cardiff.
- Any electrical installation used in conjunction with the street trading unit must comply with the Electricity at Work Regulations 1989. Specifically, any appliances used in the installation must be subject to regular portable appliance testing, and the installation shall be protected at source, at the main junction or at the generator by a residual current device or some other equally suitable means of protection.
(For advice and information contact Health and Safety on Cardiff 029 20871126)
- Safety of Equipment**
21. Heat producing equipment (eg. Braziers) shall be so placed within the trading area as to offer maximum safety to the public. The position of such equipment in relation to other goods or materials shall be agreed with the Council's Officers.
- Where mobile electrical generators are employed they shall be so positioned that :
- a) they do not present a danger to the passing public;
 - b) they do not present a fire or similar hazard risk to the stall or goods displayed thereon;
 - c) they do not cause any noise or fume nuisance;
 - d) all petroleum spirit or other highly inflammable liquid used in connection with the generator shall be stored in a metal container with a secure leak proof cap not exceeding 23 litres or a plastic container not exceeding 5 litres capacity. The container to be labelled "Petroleum Spirit Highly Inflammable". The container shall be stored securely and remote from sources of ignition.
- Amplification equipment**
22. No amplification equipment shall be used by the trader.
- Directions by Council**
23. The licensed trader shall comply with all reasonable directions given by the Council or by any authorised Officer of the Council regarding any matter to which this Consent relates.
- Appeals**
24. Any person aggrieved by a refusal, revocation or variation of or any prescription in the Licence may appeal to a Magistrates Court.
- Advice and information**
25. If you require any further advice and information relating to these Conditions, please contact the Licensing Section on Cardiff 029 20871651.
- Insurance**
26. The Street Trading Licence holder must obtain suitable public liability insurance with a minimum liability of at least two million pounds to cover all liabilities that may arise from the street trading activities. The insurance must be valid for all trading periods

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PUBLIC PROTECTION COMMITTEE: 7 April 2015**Report of the Head of Regulatory and Supporting Services****DESIGNATION OF LICENCE STREETS FOR THE PURPOSE OF STREET TRADING****1. Background**

- 1.1 The Licensing Section is currently undertaking a review of the Council's Street Trading Licensing Policy. As a result it is considered appropriate to redesignate the street designations for the historic licensed street trading sites.
- 1.2 Street Trading is controlled by Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- 1.3 The Act provides that a local authority may by resolution designate any street in their area as:
 - i) a "prohibited street" where street trading is prohibited;
 - ii) a "consent street" where street trading is prohibited without the consent of the local authority; and
 - iii) a "licence street" where street trading is prohibited without a licence granted by the local authority.

2. Details.

- 2.1 The fixed street trading sites in Cardiff are historic and the legal processes involved in setting the appropriate street designations were undertaken many years ago. During the review of the current Policy some anomalies in the street designations have come to light. Also some of the street traders may have moved slightly from their original locations due to redevelopment of the area.
- 2.2 In order for street trading to take place legitimately, in addition to a street being designated a licence street a Traffic Regulation Order must also be in place. The Order allows a parking bay to be created for the purpose of street trading. The trader is issued with both a street trading licence and a permit to use the parking area.
- 2.3 The designated street trading licence area and the position described in the Traffic Regulation Order should be identical.
- 2.4 There is currently one trader on each of the following licence streets:
 - Part of Working Street

- Part of Central Square
 - Part of Great Western Lane
 - Part of Bangor Street
 - Part of Ann Street
- 2.5 Until 2000 there was a licensed street trader on Churchill Way, but due to redevelopment of the area the street trader was moved to Park Lane (just off Queen Street). Although the Traffic Regulation Order for Park Lane was put in place there appears to be no evidence to show that the legal process to change the street designation of that part of Park Lane to a licence street was undertaken.
- 2.6 If that part of Park Lane was not designated a licence street it remains an undesignated street.
- 2.7 Churchill Way is no longer a suitable street trading location and the site has not been utilised for many years. The rest of Churchill Way is designated as a prohibited street so it is recommended that Churchill Way becomes a prohibited street in its entirety.
- 2.8 It has also come to light that although there have not been licensed traders on the following streets for many years, part of those streets remain as licence streets:
- Donald Street
 - Guildhall Place
 - Arabella Street
 - Tewkesbury Street – north-east side from a point 15 metres from the building line of Crwys Road for a distance of 3 metres
 - Ruby Street – north-east side from a point 15 metres from the building line of Clifton Street for a distance of 3 metres
- 2.7 These streets are now considered unsuitable for street trading and it is recommended that the street designations as licence streets are rescinded. These streets are all residential and the Committee may wish to consider designating the streets as prohibited streets to prevent any trading taking place, rather than leaving them as undesignated.
- 2.8 In due course consideration needs to be given to the street trading designation of Great Western Lane due to the redevelopment of Central Square. It is therefore not considered necessary to change the status of Great Western Lane at present until the position is reviewed later in the year.
- 2.9 Part of Ann Street was designated a licence street in 1994 following the trader being relocated from Woolworth Lane. The trader is currently positioned in the correct location and there has not been any change to the street trading pitch. It is therefore not considered necessary to reaffirm the designation of the licence street in respect of Ann Street.

- 2.10 Part of Bangor Street has been a licence street for many years. However the pre-1989 paperwork stating the exact location of the trading site is no longer available. It is therefore recommended that the part of Bangor Street is redesignated a licence street in line with the position stated in the Traffic Regulation Order.
- 2.11 The current licensed trader on Working Street moved several metres north from the original licensed position when redevelopment of Working Street took place in 2012 and the trader was provided with a new trading receptacle. It is proposed that the old licence street designation be revoked and the new licence site designated in line with the current location and Traffic Regulation Order.
- 2.12 Reaffirming the designations of the licence streets in line with the areas approved under the Traffic Regulation Orders will ensure that the designations are consistent and accurate.

3. Legal Implications

- 3.1 If the Committee were minded to change/reaffirm the street designations, it would be necessary to follow the statutory public notice procedure set out in the Local Government (Miscellaneous Provisions) Act 1982. That requires the Committee to give notice of its intention to designate the streets and invite objections. Any objections received in response would have to be considered by the Committee before proceeding any further.
- 3.2 The statutory procedure for designating a street for the purpose of street trading is briefly described in the following steps:
- (a) The publication of a notice of intention to pass a resolution designating a particular street. The notice must contain a draft of the resolution to be passed and must be published in a local newspaper. A copy is then served on the chief officer of police and any highway authority responsible for that street.
 - (b) A period of at least twenty-eight days must elapse from the time of initial publication of the notice to the time when a district council passes a resolution confirming the proposed designation. This is to allow for objections to be made to the local authority, which must be considered before a resolution is passed designating a particular street.
 - (c) The specific consent of the Highways Authority must be obtained for the designation of parts of a street as licence streets.
 - (d) Once a resolution has been passed, the Authority is obliged to publish the fact in two consecutive weeks in a local newspaper. The first publication

must not be later than twenty-eight days before the date specified in the resolution for the coming into force of the designation.

Should the authority wish to rescind a designation or re-designate a street, the same procedure must be followed.

4. Financial Implications.

- 4.1 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.

5. Recommendation

It is recommended that the Committee approve the following:

- 5.1 That the Committee indicates its intention to rescind the current street designations of part of Working Street, Bangor Street, Churchill Way, Donald Street, Guildhall Place, Arabella Street, Tewkesbury Street, and Ruby Street, as licence streets pursuant to Part III of the Local Government (Miscellaneous Provisions) Act 1982.
- 5.2 That the Committee indicate its intention to designate the following as licence streets pursuant to Part III of the Local Government (Miscellaneous Provisions) Act 1982.
- a) Working Street – On its south west side in an area 6 square metres from a point 15 metres south east of its junction with the footpath known as Dead Mans Walk for a distance of 3 metres south east
 - b) Park Lane – From a point 2 metres north west of its junction with Queen for a distance of 2 metres north west and from a point 2.4 metres north east of the south western building line for a distance of 3 metres north east.
 - c) Bangor Street – on the west side of Bangor Street from a point 7 metres north of its junction with Wellfield Road to a point 10 metres north of the same junction.
- 5.3 That the Committee indicated its intention to designate Churchill Way, Donald Street, Guildhall Place, Arabella Street, Tewkesbury Street, and Ruby Street as prohibited streets in their entirety pursuant to Part III of the Local Government (Miscellaneous Provisions) Act 1982.

Dave Holland
HEAD OF REGULATORY AND SUPPORTING SERVICES

10 March 2015

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

Background Papers: None

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AGENDA ITEM

CARDIFF COUNCIL
CYNGOR CAERDYDD

PUBLIC PROTECTION SUB COMMITTEE: 7TH APRIL 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 Miss
First Name Frances
Surname Carey
Premises Name

Title Miss
First Name Lauren
Surname Dart
Premises Name Aurora Health & Beauty

Title Ms
First Name Marcia
Surname Bennett
Premises Name Aurora Health & Beauty

Title Mr
First Name Ben
Surname Harrison
Premises Name Health & Sports

Premises:

Premises Name	Stronghold Tattoo Limited
Premises Street	12 Crichton House
Premises Area	11-12 Mount Stuart Square
Premises City	Cardiff
Title	Ms
First Name	Stronghold Tattoo Limited
Surname	Mr Ashley Davies

AGENDA ITEM

CARDIFF COUNCIL
CYNGOR CAERDYDD

PUBLIC PROTECTION SUB COMMITTEE: 7TH APRIL 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	Guide Dogs for the Blind
Type of Collection	Street Collection Permit
Collection Date	02/10/2015
End Date	02/10/2015
Charity Name	Leukaemia & Lymphoma Research
Type of Collection	Street Collection Permit
Collection Date	17/05/2015
End Date	17/05/2015
Charity Name	1st Cathays Al Huda Scouts
Type of Collection	Street Collection Permit
Collection Date	05/04/2015
End Date	05/04/2015
Charity Name	BBC Children in Need
Type of Collection	Street Collection Permit
Collection Date	28/11/2015
End Date	28/11/2015
Charity Name	Action Against Hunger
Type of Collection	Street Collection Permit
Collection Date	03/10/2015
End Date	03/10/2015
Charity Name	Interpal
Type of Collection	Street Collection Permit
Collection Date	08/03/2015
End Date	08/03/2015

Charity Name	Make a Wish Foundation
Type of Collection	Street Collection Permit
Collection Date	28/04/2015
End Date	30/04/2015
Charity Name	Look Good Feel Better
Type of Collection	Street Collection Permit
Collection Date	15/08/2015
End Date	15/08/2015
Charity Name	Christian Aid
Type of Collection	Street Collection Permit
Collection Date	09/05/2015
End Date	09/05/2015
Charity Name	Action Duchenne
Type of Collection	Street Collection Permit
Collection Date	28/06/2015
End Date	28/06/2015
Charity Name	Breakthrough Breast Cancer Care
Type of Collection	Street Collection Permit
Collection Date	20/04/2015
End Date	20/04/2015
Charity Name	Breakthrough Breast Cancer Care
Type of Collection	Street Collection Permit
Collection Date	23/04/2015
End Date	23/04/2015
Charity Name	Breakthrough Breast Cancer Care
Type of Collection	Street Collection Permit
Collection Date	17/04/2015
End Date	17/04/2015
Charity Name	The Encephalitis Society
Type of Collection	Street Collection Permit
Collection Date	16/08/2015
End Date	16/08/2015

Charity Name Leukaemia & Lymphoma Research
Type of Collection Street Collection Permit
Collection Date 21/06/2015
End Date 21/06/2015

Charity Name Guide Dogs for the Blind
Type of Collection Street Collection Permit
Collection Date 09/10/2015
End Date 09/10/2015

Charity Name Transverse Myelitis Society
Type of Collection Street Collection Permit
Collection Date 18/03/2015
End Date 18/03/2015

Charity Name Christian Aid
Type of Collection Street Collection Permit
Collection Date 16/05/2015
End Date 16/05/2015

Charity Name Meningitis Now
Type of Collection Street Collection Permit
Collection Date 19/04/2015
End Date 19/04/2015

Charity Name Alzheimers Society
Type of Collection Street Collection Permit
Collection Date 19/09/2015
End Date 19/09/2015

Charity Name Cystic Fibrosis Trust
Type of Collection Street Collection Permit
Collection Date 04/05/2015
End Date 04/05/2015

Charity Name 1st Cathays Al Huda Scouts
Type of Collection Street Collection Permit
Collection Date 06/04/2015
End Date 10/04/2015

Charity Name	Look Good Feel Better
Type of Collection	Street Collection Permit
Collection Date	22/05/2015
End Date	24/05/2015