



County Hall
Cardiff
CF10 4UW
Tel: (029) 2087 2000

Neuadd y Sir
Caerdydd
CF10 4UW
Ffôn: (029) 2087 2000

AGENDA

Committee	PUBLIC PROTECTION COMMITTEE
Date and Time of Meeting	TUESDAY, 4 AUGUST 2015, 10.30 AM
Venue	COMMITTEE ROOM 1 - COUNTY HALL
Membership	Councillor Parry (Chair) Councillors Manzoor Ahmed, Boyle, Bridges, Goddard, Hudson, Kelloway, Morgan, Murphy, Phillips, Simmons and Walsh

1 Apologies for Absence

To receive apologies for absence.

2 Declarations of Interest

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

3 Minutes

(Pages 1 - 6)

To approve as a correct record the minutes of 7 April 2015.

4 Hackney Carriage/Private Hire Matters

(Pages 7 - 8)

5 Control of Street Trading - Working Street

(Pages 9 - 22)

6 Control of Street Trading - Bangor Street

(Pages 23 - 30)

7 iCabbi GPS Taxi Management and Despatch System

(Pages 31 - 34)

Marie Rosenthal

Director Governance and Legal Services

Date: Wednesday, 29 July 2015

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

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PUBLIC PROTECTION COMMITTEE

7 APRIL 2015

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

Apologies: Councillors Parry

68 Apologies for Absence

Apologies were received from Councillor Parry

69 Declarations of Interest

No declarations of interest were received.

70 Minutes

The minutes of the meeting held on 3 March 2015 were approved by the Committee as a correct record and were signed by the Chairperson.

71 Central Square Designation

The Committee, on 6 January 2015, authorised publication of its intention to pass a resolution to change the street designation of the part of Central Square to a prohibited street.

The Public Notice was published, inviting representations relation to the proposed resolutions by 6 March 2015.

An objection was received from Mr Timothy Harris outside of the deadline period, however, that objection has since been withdrawn.

RESOLVED – That the Committee agree to:

- (1) From 1 June 2015 rescind the designation of those parts of Central Square currently designated as a Licence Street; and
- (2) From 1 June 2015 designate Central Square in its entirety as a Prohibited Street;

72 Central Square to Working Street Designation

The Committee received a report and were asked to consider the relocation of the trading site of Mr Timothy Harris.

Mr Harris, who is currently licensed to sell hot drinks and hot food will no longer be able to trade from Central Square due to the forthcoming redevelopment and the change in designation.

A number of sites were considered, however Working Street has been identified as the

only viable option and a purpose built hut will be erected. Mr Harris has been asked for his views and he has accepted the offer of Working Street as an alternative trading site.

RESOLVED – That the Committee agree to:

- (1) 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;
- (2) 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; and
- (3) 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.

73 Designation of Licensed Streets for the Purposes of Street Trading

The Committee received a report of the review of the Council's Street Trading Licensing Policy and were asked to consider the redesignation of the street designations for the historic licensed street trading sites.

The fixed 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 a number of anomalies in street designations have become apparent and need to be formalised and some of the street traders have moved slightly from their original locations due to redevelopment of the area.

Members were advised that in addition to a street being designated a licence street a Traffic Regulation Order must also be in place to allow a parking bay to be created for the purpose of street trading. The street licence area and the Traffic Regulation Order should be identical.

Members were advised that should the recommendations be approved the relevant notice(s) would be issued and the matter would be further considered at Committee on 2 June 2015.

RESOLVED – That the Committee indicates its intent to:

- (1) 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;
- (2) Designate the following as licence streets:
 - 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 foot path 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 Street 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.
- (3) Designate Churchill Way, Donald Street, Guildhall Place, Arabella Street, Tewkesbury Street and Ruby Street as prohibited streets in their entirety.

74 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) F Carey
- (2) L Dart
Aurora Health & Beauty
- (3) M Bennett
Aurora Health & Beauty
- (4) B Harrison
Health & sports

Premises

- (1) Stronghold Tattoo Limited
12 Crichton House
11 – 12 Mount Stuart Square
Cardiff

75 Street and House to House Collection Licence Applications

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

- 1 Guide Dogs for the Blind
Street Collection Permit
02/10/2015
- 2 Leukaemia & Lymphoma Research
Street Collection Permit
17/05/2015
- 3 1st Cathays Al Huda Scouts
Street Collection Permit
05/04/2015

- 4 BBC Children in Need
Street Collection Permit
28/11/2015
- 5 Action Against Hunger
Street Collection Permit
03/10/2015
- 6 Interpal
Street Collection Permit
08/03/2015
- 7 Make a Wish Foundation
Street Collection Permit
28/04/2015 to 30/04/2015
- 8 Look Good Feel Better
Street Collection Permit
15/08/2015
- 9 Christian Aid
Street Collection Permit
09/05/2015
- 10 Action Dechenne
Street Collection Permit
28/06/2015
- 11 Breakthrough Breast Cancer Care
Street Collection Permit
23/04/2015
- 12 Breakthrough Breast Cancer Care
Street Collection Permit
17/04/2015
- 13 The Encephalitis Society
Street Collection Permit
16/08/2015
- 14 Leukaemia & Lymphoma Research
Street Collection Permit
21/06/2015
- 15 Guide Dogs for the Blind
Street Collection Permit
09/10/2015
- 16 Transverse Myelitis Society
Street Collection Permit
18/03/2015

- 17 Christian Aid
Street Collection Permit
16/05/2015
- 18 Meningitis Now
Street Collection Permit
19/04/2015
- 19 Alzheimer's Society
Street Collection Permit
19/09/2015
- 20 Cystic Fibrosis Trust
Street Collection Permit
04/05/2015
- 21 1st Cathays Al Huda Scouts
Street Collection Permit
06.04.2015 to 10.04.2015
- 22 Look Good Feel Better
Street Collection Permit
22/05/2015 to 24/05/2015

Signed:

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AGENDA ITEM

CARDIFF COUNCIL
CYNGOR CAERDYDD

PUBLIC PROTECTION COMMITTEE: 4th AUGUST 2015

REPORT OF THE HEAD OF REGULATORY & SUPPORTING SERVICES

HACKNEY CARRIAGE/PRIVATE HIRE APPLICATIONS

The Committee is requested to determine the following application:-

1. **Mr M N Lazim Citroen Berlingo Registration No SL60 ULY**

Application to have the Citroen Berlingo approved as a prestige vehicle with a ten year age restriction.

2. **Mr J Hurley Kia Sedona Registration No CK10 VWL**

Application to have the Kia Sedona approved as a prestige vehicle with a ten year age restriction.

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PUBLIC PROTECTION COMMITTEE: 4 August 2015

Report of the Director of Governance and Legal Services

CONTROL OF STREET TRADING –WORKING STREET

1. Background

- 1.1 At its meeting of 7th April 2015 the Committee authorised officers to publish notice of its intention to pass resolutions to change the street designation of part of Working Street from a prohibited street to a licence street for the purpose of street trading, pursuant to Paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- 1.2 The intention is for the change to have effect from 8th September 2015
- 1.3 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.
- 1.4 Working Street had been identified as a suitable alternative trading site for Mr Harris.

2. Details.

- 2.1 In accordance with the statutory procedure a Public Notice stating the Committee's intention was published in the South Wales Echo on 10th June 2015. Copies were also sent to the Senior Officer for Highways and Senior Officer for, Traffic and Transportation Officer. The Notice invited representations relating to the proposed resolutions to be made in writing by 8th July 2015.
- 2.2 46 letters of objections to the proposals were received in response to the public notice, plus a 246 signature petition of objection. 42 of the letters were in identical format. Details are shown in Appendix A of this report.
- 2.3 The vast majority of objections have originated from the Hayes Island Snack Bar on the basis of unfair competition.

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 an annual street trading licence is £563.00

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 There is no legal obligation to relocate Mr Harris's street trading pitch. However the Committee has previously expressed its intention to relocate Mr Harris to a suitable alternative site.

4.2 The Committee must consider the representations that have been received and consider whether it wishes to proceed with the re-designation.

4.3 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

5. **Recommendation**

5.1 It is recommended that the matter be considered.

5.2 Should, following consideration of the matter, the Committee wish to proceed with the re-designation 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 8 September 2015, all previous resolutions designating the area of 6 square metres on Working Street's south west side from a point 5 metres from its junction with the footpath known as Dead Man's Walk for a distance of 3 metres south east as a Prohibited Street, for the purposes of Part III of the Local Government (Miscellaneous Provisions) Act 1982 are rescinded.

5.2.2 With effect from 8 September 2015, that area of 6 square metres on Working Street's south west side from a point 5 metres from its junction with the footpath known as Dead Man's Walk for a

distance of 3 metres south east be designated a Licence Street, for the purposes of Part III of the Local Government (Miscellaneous Provisions) Act 1982

Marie Rosenthal
Director of Governance & Legal Services

10 July 2015

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

Background Papers: Report of the Head of Regulatory Services: Public Protection Committee 7th April 2015 –Street Trading Designation –Central Square Redevelopment

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X 42

Shaun Jamieson
County Solicitor
Cardiff County Council
County Hall
Cardiff
CF10 4UW

Date: 30.6.15

Attn: Shaun Jamieson Ref: AJ/507 - Re-Designation of Working Street

Further to receipt of your letter regarding the re-designation of Working Street, I wish to lodge strong opposition to the proposal, Ref; AJ/507.

Objections

I understand although not legally bound the proposed re-designation of Working Street is to make way for a relocation from Central Square of a Hog Roast/Burger Bar due to the redevelopment of that area. This gesture of goodwill by the Council would create unfair competition to existing businesses due to the following;

1. As the Hog Roast/Burger Bar relocation is in very close proximity to the Hayes Island Snack Bar competing in the same core business, consultation or proper consideration has not been given to the ramifications of such.
2. Working Street is not the only available site and investigation to relocate to Cardiff Market or The Friary or Park Lane (facing Queen Street) or indeed Charles Street, Hill Street or Fredrick Street should be thoroughly examined. All sites have either been utilised for similar uses previously and in the case of Queen Street enjoys a footfall of 280,000 people per week.
3. You state that no maps or plans are available of the proposed location but please see on the attached page a detailed (and precise) location plan, this having been released by the Council.
4. You state that the rental income has not been determined however the exacting figure of rental of £536 per annum has been released by the Council. Other businesses paying commercial rents negotiated with Cardiff Council's Valuation Department simply cannot compete. The Council's Highways Department have brought this proposal and without consultation with surrounding businesses, appear to have little or no constraints regarding planning permission or commercial rates and considered consequences of their actions. To further exacerbate the situation it is understood that Cardiff County Council propose to provide this outlet free of charge (no cost at all to the business owner) with a very small rental income of £536 per annum not even the unit itself would be paid for for many years.

Please note my strong opposition to this proposal and as invited, I wish to attend the meeting on 4th August 2015 at 10.30am to put forward my objections.

Yours faithfully



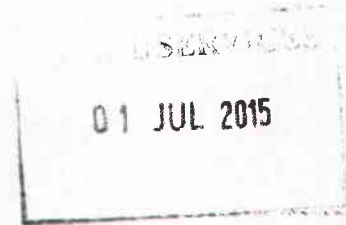
VINTAGE TEA & COFFEE CO LIMITED

8-14 HIGH STREET ARCADE CARDIFF CF10 1BB

T 02920 224 575 M 07815 155 216

Company No:9333360 VAT No:200582452

Mr Shaun Jamieson
County Solicitor
Cardiff County Council
County Hall
Atlantic Wharf
Cardiff
CF10 4UW



Re: DESIGNATION OF STREETS – WORKING STREET REF: AJ/507

Dear Mr Jamieson,

I am writing to formally place an objection for the above proposal regarding the re-housing of the Hog roast/ Café to Working Street.

As a business owner in the area my objections are:

As stated by the council the yearly rent for this site is £536. Business rates have not been mentioned, and the valuations office is not aware of this proposal. The implications of this are really suspicious. As a business owner, I would love nothing more than to pay NO business rates, and £536 a year in rent as it is, I pay thousands to each. This is really unfair to all of us who own and manage businesses in this area, as there have been no Public notices placed anywhere.

The Working Street area is a traditional area which hosts a number of events throughout the year, and a permanent structure (AT TAX PAYERS EXPENCE) would harm the ambience and original purpose for the area, and would not be in the public's interests. Any business could suddenly appear—and the disruption of a Christmas Market type atmosphere could prevail, which is wholly disruptive at the best of times to local rate and rent paying businesses.

It is indeed strange, that although this is meant to be a “consultation period” to consider this proposal, that the re-housing for the Hog Roast/Café has already been built and is ready to be put in place onto Working Street in the next week or so—at a taxpayers cost. I STRONGLY object to the building being put into place before the entire proposal is approved, and I also STRONGLY object to the Highways Commission spending my money as a taxpayer, business owner (business rates payer and business rent payer) without the proper consultation for a permanent business, which should be going through the correct channels of Council, Planning Permission, and Valuations offices. Highways are only supposed to approve temporary licenses such stalls etc.

I will look forward to attending the meeting on 4th August at 10:30 to put forward my objections.

Sincerely,

Mrs Charlotte Barker

Director of Vintage Tea & Coffee Co Limited

Mobile: _____



~ Est. 1990 ~

High St Arcade in the Castle Quarter
Cardiff Tel: (029) 20 388388

29 June, 2015

Dear Mr. Jamieson

I am writing to formally place an objection to your planned proposal AJ/507, regarding the relocation of a Hog roast /Café to working Street.

My objections, as a business owner in the very nearby area, are several.

1. The proposed yearly rent for the site is £536, as stated by the council office. Business rates have not been mentioned, and the Valuations office is not aware of this proposal. I have spoken to each office for this information, and they have suggested that because this proposal is coming from the Highways Commission, these offices have not been consulted. The implications of this "back door" strategy are highly suspicious, as it seems that this proposal was geared for "one rule for one, another rule for everyone else". As a local business owner, I would love to pay NO business rates, and £536 in yearly rent; as it is, I pay thousands in each category. This is indeed hugely unfair to all of us who own and manage businesses in the adjacent arcades and Market, as there have been no Public Notices (required by law if the Council or Planning Permission offices were involved) placed anywhere.
2. The precedent of introducing one permanent building/structure onto Working Street, (at the taxpayers' expense of approximately £40,000 of which I am sure you are aware), is a dangerous one. The Working St area is traditionally an open environment which hosts a large number of events throughout the year, and a permanent structure (or structures if this precedent is allowed to continue) would harm the ambience and original purpose for the area, and would not be in the publics' best interests. Any business could suddenly appear—and the disruption of a "Christmas Market" type atmosphere could prevail, which is wholly disruptive at the best of times to local rate and rent paying businesses.
3. It is indeed strange, that although this is meant to be a "consultation period" to consider this proposal, that the housing for this Hog Roast/Café has already been built and is ready to put in place onto Working St in the next week or so—at a taxpayers' cost of £40,000. Water and electric is also going to be connected at no cost to the owner of said Café. I STRONGLY object to the building being put into place before the entire proposal is approved, and I also STRONGLY object to the Highways Commission spending my money as a taxpayer, business owner (business rates payer and business rent payer) without the proper consultation for a permanent business, which should be going through the correct channels of Council, Planning Permission, and Valuations offices. Highways are only supposed to approve temporary licenses such as Pop Up stalls etc as are evident on match days throughout the City Centre.

I will look forward to attending the meeting on 4th August at 1030 to put forward my objections.

Very Sincerely,

Harriett Davies, Owner New York Deli

VINTAGE TEA & COFFEE CO LIMITED

1-13 CASTLE ARCADE CARDIFF CF10 1BU
T 02920 224 575 M 07815 155 216

Company No:9333360 VAT No:200582452

Mr Shaun Jamieson
County Solicitor
Cardiff County Council
County Hall
Atlantic Wharf
Cardiff
CF10 4UW

01 JUL 2015

Re: DESIGNATION OF STREETS – WORKING STREET REF: AJ/507

Dear Mr Jamieson,

I am writing to formally place an objection for the above proposal regarding the re-housing of the Hog roast/ Café to Working Street.

As a business owner in the area my objections are:

As stated by the council the yearly rent for this site is £536. Business rates have not been mentioned, and the valuations office is not aware of this proposal. The implications of this are really suspicious. As a business owner, I would love nothing more than to pay NO business rates, and £536 a year in rent as it is, I pay thousands to each. This is really unfair to all of us who own and manage businesses in this area, as there have been no Public notices placed anywhere.

The Working Street area is a traditional area which hosts a number of events throughout the year, and a permanent structure (AT TAX PAYERS EXPENCE) would harm the ambience and original purpose for the area, and would not be in the public's interests. Any business could suddenly appear—and the disruption of a Christmas Market type atmosphere could prevail, which is wholly disruptive at the best of times to local rate and rent paying businesses.

It is indeed strange, that although this is meant to be a "consultation period" to consider this proposal, that the re-housing for the Hog Roast/Café has already been built and is ready to be put in place onto Working Street in the next week or so—at a taxpayers cost. I STRONGLY object to the building being put into place before the entire proposal is approved, and I also STRONGLY object to the Highways Commission spending my money as a taxpayer, business owner (business rates payer and business rent payer) without the proper consultation for a permanent business, which should be going through the correct channels of Council, Planning Permission, and Valuations offices. Highways are only supposed to approve temporary licenses such stalls etc.

I will look forward to attending the meeting on 4th August at 10:30 to put forward my objections.

Sincerely,



Mr Stephen Barker

Director of Vintage Tea & Coffee Co Limited

Mobile: _____

TU. 029 20
July 3rd.

Dear Shaun Jamieson.

Re Designation of Streets - Working Street Ref AJ/507.

I respond to your letter dated 26th June and signed on behalf of Amanda Jones.

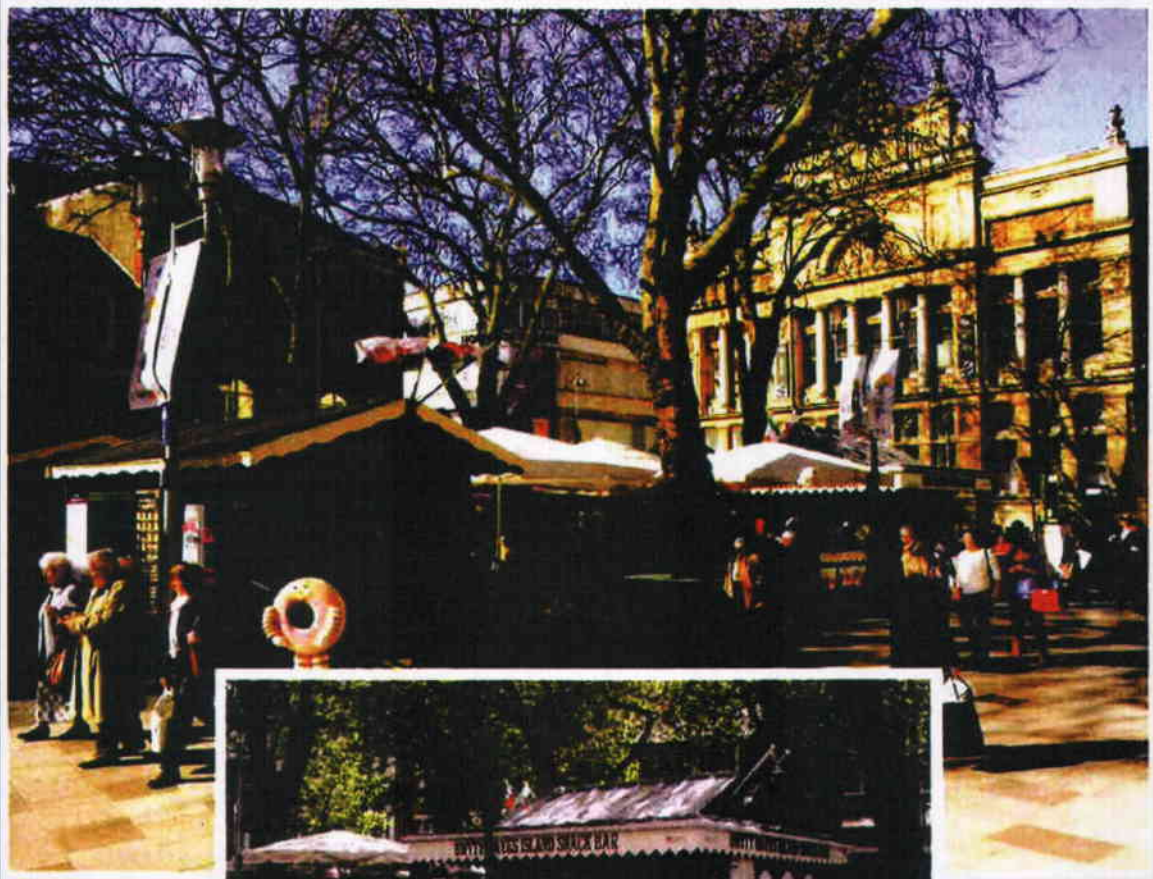
I am concerned that of that date, in what is a consultation period, that no plans or map are available and no specific business or businesses to be located or relocated in Working Street have been determined.

Events of the past twenty four hours would cast doubt on this and suggest that the Council has already predetermined the judgement of the Council Public Protection Committee meeting to be held on August 4th. This action represents a clear breach of due process and raises some alarming concerns about the integrity of the consultation process.

I have financial interest in a business in the area and would give prior notice that I or my legal representative be allocated time to speak at the meeting on August 4th.

Yours faithfully

HAYES ISLAND SNACK BAR



Attn: Mr Shaun Jamieson
Working St Notice
Ref AJ/507
23rd June 2015

MADE WITH LOVE SINCE 1948

HAYES ISLAND SNACK BAR

Further to the legal notice of June 10th 2015 Mr & Mrs T.Worton, owners of the Hayes Island Snack Bar wish to lodge strong opposition against the proposed change of street trading in Working Street. This being sought to allow A3 relocation into the area.

Background:

Having purchased the Hayes Island Snack Bar (a highly prominent city centre Grade 2 listed structure - the oldest snack bar in Wales) we have always worked closely with Cardiff Council and enjoy a very good working relationship.

Immediately on purchase, we set about to change the area from a run down, unloved eyesore. This took great financial investment in renovation of the existing structure, together with seating, heated parasols, planters etc.

Having demonstrated our commitment to the area, the Council entered in to negotiations regarding the subterranean Victorian toilets. These had been shut by the council for a number of years due to budget cuts. They were in a poor state of repair, even though the Council had spent £200k refurbishing them 18 months prior to their closure, the Council's running costs prior to the closure ran to about £130,000 pa.

In return for taking on the toilets and to cover some associated costs, the Council permitted our investment in three adjoining facilities - all at our own expense. Upon completion and having gained all necessary planning consent, investment began in renovating the toilets (£40k) and construction of the agreed trading platforms. The toilets were then reopened to the public, with all staffing, maintenance, insurance, consumables, etc being at the cost and responsibility of The Hayes Group.



MADE WITH LOVE SINCE 1948

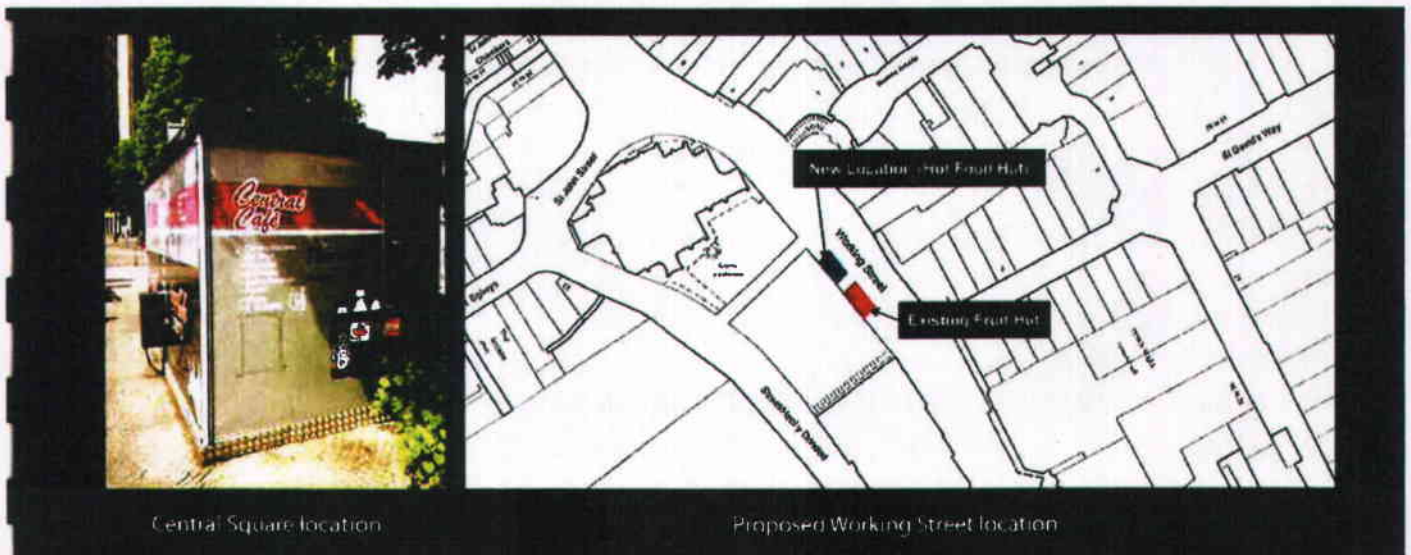
HAYES ISLAND SNACK BAR

The signing of leases and entering into loan agreements was in the full knowledge of major corporate competition in the area. These were all known, considered and understood, however we are not a multi national company and at this stage (Dec 2014) we have invested over £400k++ in long term plans for the Hayes, with constant renovations and improvements ongoing.

Two years ago the Hayes Island employed 3 members of staff, we now employ 18 staff members.

Relocation to Working Street.

We understand, though not legally required the council wishes, as a gesture of good will to relocate the Hog Roast/Burger Bar from its existing site at Central Square to a site very close to the Hayes Island in Working St (as detailed on the plan below).



Objections.

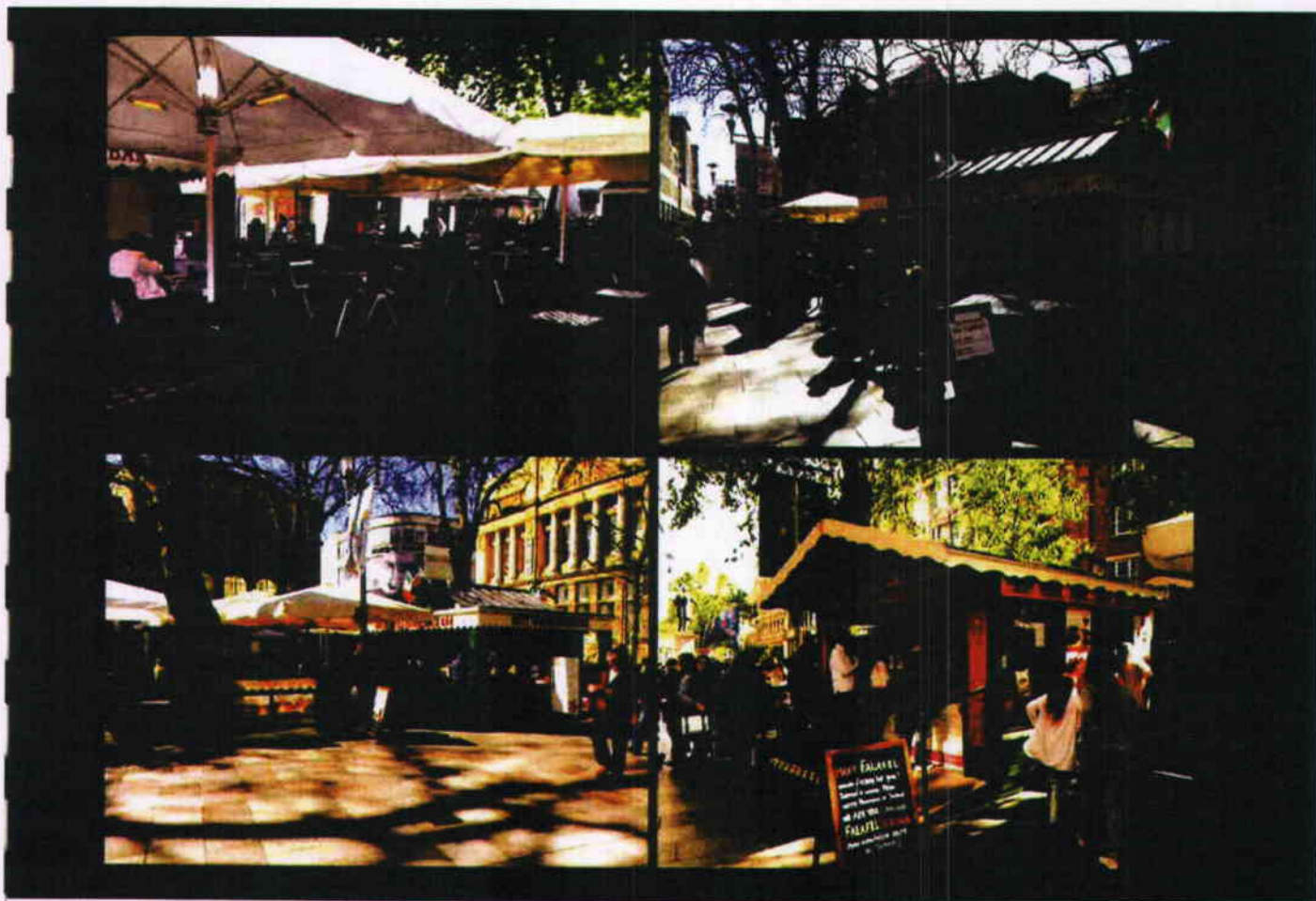
The proposed relocation is viewed as hostile, as due its very close proximity to the Hayes, we would be competing for the same core business on a day to day basis. We understand that a fruit/vegetable stall is also to be relocated, however Working Street was not considered appropriate as there is an existing fruit/veg stall in this location? In fact the Hog Roast/Burger Bar is proposed to sit next to the existing fruit/veg business. It is due to this that Hayes Island would ask - why has competition with ourselves not yet been considered? It is understood that the fruit/veg stall is to be relocated from Central Square to Queen Street. Other pitches are available so why is the Hog roast/Burger bar not moved one of these sites.

MADE WITH LOVE SINCE 1948

HAYES ISLAND SNACK BAR

It is understood that the Council will be providing the outlet for the proposed unit, whilst only charging approx £500 per annum rent. Not even the construction itself would be paid for a number of years!!

By comparison, our long term investment strategy to enhance the Snack Bar area and the quality of goods/services on offer to the public sees us pay in the region of £30,000 per annum - 60 times more?



MADE WITH LOVE SINCE 1948

HAYES ISLAND SNACK BAR

Summary:

The relocation of this business is in direct competition to the Hayes Island Snack Bar. Its proximity and activity in the same core business and the effects of the proposal have not been thought through by the decision makers within the Council.

Competition was reviewed for the relocation of the fruit and veg stall but not in this case. Why?

The generous proposal by the Council to build this stall on Working Street funded by the public purse surely must be subject to a costing evaluation. The monies paid out on a venture that will yield little or no return on investment to the citizens of Cardiff.

The prime site proposed by Cardiff City Highways surely cannot endorse this low rental (circa £500), when surrounding competing businesses have to pay vastly more, negotiated by Cardiff City valuation services/strategic Estates Division.

Our long term plans are most definitely in jeopardy if the relocation of this business is granted. With such low rent compared to ours, they can/will under cut our prices to the point of extinction. It would not be a level playing field and we certainly would not have invested our money and time in all the fabulous development of the Hayes had we known of the Councils plans.

We have no issue with fair competition and have no desire to interfere with other peoples livelihoods but it is inconceivable, however that we are expected to compete if the Council creates this situation? It will result in Hayes Island being unable to compete and in that respect, is completely unfair, especially in light of the considerable commitment made thus far. We simply will not be able to compete.

We request invitation to make representation at the forthcoming meetings. Please confirm the same to Mr & Mrs T.Worton, Talismans Acre, 21 Milwood, Lisvane, Cardiff CF14 0TL.

Signed..... Date.....

Signed..... Date.....

MADE WITH LOVE SINCE 1948
1948 -2015??

PUBLIC PROTECTION COMMITTEE: 4 August 2015

Report of the Head of Regulatory Services

APPLICATION FOR A STREET TRADING LICENCE FOR BANGOR STREET

1. Background

- 1.1 On the 9th June 2015 an application was submitted by Mr Neil Clark. Mr Clark is applying for the grant a licence to operate the currently vacant site at Bangor Street, Roath, Cardiff, to trade in fruit, vegetables and flowers.
- 1.2 Part of Bangor Street has been licensed to trade in fruit, vegetables and flowers for over thirty years. The last licence holder Mr Salem Omar operated the site since 1998. The site has been very popular with shoppers and local residents who would purchase fruit, vegetables and flowers from Mr Omar. Mr Omar surrendered the licence and ceased trading with effect from 8th June 2015.
- 1.3 The applicant Mr Neil Clark has worked with Mr Omar for approximately five years helping collect goods from the market and, for the last year and half, on the stall at Bangor Street. (Mr Clark has been listed as a named assistant on the last licence application form.)

2. Details of the site and trading conditions.

- 2.1 Bangor Street- On the west side of Bangor Street from a point 7 metres north of the junction with Wellfield Road to a point 10 metres north of the same junction, is designated as a licensed street pursuant to Part III of the Local Government (Miscellaneous Provisions) Act 1982.
- 2.2 Street trading licences are not transferable and must be surrendered to the authority when trading ceases. Applications can then be considered by the Public Protection Committee should the authority intend to allow trading to continue at the site.
- 2.3 The dimensions of any receptacle used on the site should not exceed:
 - 3.20 metres in length
 - 2 metres in width.
 - 2.90 metres in height.

- 2.4 The trading hours currently allocated to the site are Monday to Sunday 8.00 am to 6.00 pm.
- 2.5 The licence authorises the holder to trade solely in the articles and in the manner and at the places and times specified in the licence and is granted subject to the provisions of Part III and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- 2.6 In Mr Clark's application he states that he has worked on the site with Mr Omar for a number of years. Mr Clark states that he has built up a rapport with traders and customers in the area and that the site had become part of the community and would be greatly missed by residents and locals should the site be discontinued. The letter of application from Mr Clark is detailed in Appendix A.
- 2.7 Jenny Rathbone AM has sent a letter of support of Mr Clark's application, as detailed in Appendix B. Local residents have also contacted the Licensing Section to show support for the application (see Appendix C), and attention has been drawn to a letter in the South Wales Echo on 29th June 2015 requesting the return of the stall (see Appendix D). In addition a petition supporting the application containing 2619 signatures was received by the Licensing Section on 17th July 2015.

3. Considerations

- 3.1 Street trading is controlled by Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. Under this legislation, the Council may only refuse an application on any of the following grounds:
- (a) that there is not enough space in the street for the applicant to engage in the trading in which she desires to engage without causing undue interference or inconvenience to persons using the street;
 - (b) that there are already enough traders trading in the street from shops or otherwise in the goods in which the applicant desires to trade;
 - (c) that the applicant desires to trade on fewer days than the minimum number specified in a resolution passed by the Council [in Cardiff there is no such resolution];
 - (d) that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
 - (e) that the applicant has at any time been granted a street trading licence by the Council and has persistently refused or neglected to pay fees due to them for it or charges due to them for the collection of refuse, the cleansing of streets, and other services rendered by them to her in her capacity as licence-holder;

- (f) that the applicant has at any time been granted a street trading consent by the Council and has persistently refused or neglected to pay fees due to them for it;
 - (g) that the applicant has without reasonable excuse failed to avail herself to a reasonable extent of a previous street trading licence
- 3.2 Mr Clark has vast experience working as a street trader and none of the above grounds of refusal, in the opinion of the officers of the Licensing Service, appear to apply.

4. Achievability

This report contains no equality personnel or property implications.

5. Legal Implications

- 5.1 The street trader's site in Bangor Street has already been designated as a licensed street pursuant to Part III and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- 5.2 If the Committee considers that none of the grounds for refusal set out in paragraph 3.1 apply then the Committee is legally obliged to grant the licence.
- 5.3 If the Committee intends to refuse the application it must inform the applicant of the ground on which it intends to do so and give him the opportunity to make representations to it.

6. Financial Implications.

- 6.1 The Licensing Service is required to be self financing within the limitations of statute.
- 6.2 The current fee for an annual Street Trading Licence is £563.00. Licences run from 1st January to 31st December.

7. Recommendation

- 7.1 It is recommended that the committee determine the application made by Mr Neil Clark for the grant of a Street Trading licence in Bangor Street.

Dave Holland
HEAD OF REGULATORY SERVICES

10 July 2015

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

Background Papers: None

APPENDIX A

Application

F.A.O Clair Hartrey

9th June 2015

Ref: - Bangor Street Stall Licence

Further to our conversation, I understand the licence for Bangor Street has been surrendered by Mr Omar, I have been working and helping Mr Omar for a number of years, therefore would it be possible for me to apply for the licence of this site.

It seems a shame for the stall/ landmark of Wellfield Road and Albany Road to be closed, over the years we have traded at this site and built a great rapport with customers, traders and residents of this area.

We have had customers coming to this stall since it has been here, which I understand is about 38 years, ever since customers learned that Mr Omar was surrendering the licence it has been sad and sometimes tearful for them especially the elderly, as they rely on our service, I hope it is taken into consideration that the stall is a part of the community as people don't always like to shop in the supermarkets.

I look forward to hearing from you

Yours sincerely

Mr Neil Clark

Jenny Rathbone

Aelod Cynulliad dros
Ganol Caerdydd

Assembly Member for
Cardiff Central



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

Claire Hartrey
Licencing Section
City Hall
Cardiff CF10 3ND

19 JUN 2015

15 June 2015

Dear Claire

Re: Licence application for Bangor Street for Fruit and Veg Stall

I would be grateful if you could expedite this application as the local residents are clamouring for the service providing fair price fruit and vegetables.

Neil Clarke has worked at the stall for some 30 years and has a sound knowledge of the business and its customers. I am confident that he will be a suitable person to successfully take forward this well used stall and fully support his application for a licence.

Yours sincerely

Jenny Rathbone AM

Cynulliad Cenedlaethol Cymru
165 Albany Road, Caerdydd,
CF24 3NT
Jenny.Rathbone@cymru.gov.uk
www.cynulliadcymru.org
T +44 (0)29 2025 6255

National Assembly for Wales
165 Albany Road, Cardiff,
CF24 3NT
Jenny.Rathbone@wales.gov.uk
www.assemblywales.org
T +44 (0)29 2025 6255

APPENDIX C



County Hall
Cardiff,
CF10 4UW
Tel: (029) 2087 2087

Neuadd y Sir
Caerdydd,
CF10 4UW
Ffôn: (029) 2087 2088

Our Ref: CH/ST/6
Your Ref:

16 June 2015

Mr & Mrs McLees

19 JUN 2015

Claire
We are both comfortable about
our letter being used in support
of the ~~new~~ application for a new
licence (as stated in your letter*)

Dear Sir and Madam

RE: Street Trading Licence – Bangor Street/Albany Road Junction

*Best wishes,
Janet & Fuhie
McLees
18/06/15*

Councillor Margaret Jones has asked me to contact you regarding your enquiry about the fruit and vegetable stall at the above location.

I can confirm that the licence holder has chosen to surrender his street trading licence and not continue his business. This was not as a result of any action taken by the Council in respect of his licence.

The Licensing Section is currently in receipt of an application for a new licence on that site proposing to sell fruit and vegetables. This application will be determined by the Council's Public Protection Committee on 4th August 2015.

With your permission I can use your letter to Cllr Jones (or an alternative letter) as support for this application if you so wish. I can confirm any personal details would be anonymised in the Committee report.

For any further information please do not hesitate to contact me on 029 20871752 or chartrey@cardiff.gov.uk

Yours sincerely

Claire Hartrey
Group Leader
Licensing

Cc Councillor Margaret Jones

PLEASE REPLY TO: Licensing, City of Cardiff Council, City Hall, Cathays Park, Cardiff, CF10 3ND Tel (029) 2087 1651 Fax (029) 2087 1816 e-mail licensing@cardiff.gov.uk



Appendix D

South Wales Echo Letters 29/6/15

Fruit and veg stall is sadly missed

It is now weeks since our loyal fruit and veg stall has gone. It is so empty at the junction of Albany Road and Wellfield Road.

It looked a picture – with shining apples – and all set out to perfection. It is missed by all my friends and I expect young people from the college. It has been there since the 1980s. What do we have to do for its return? Many people would like it back if we had a vote.

Gloria Avery

Bryn Celyn, Pentwyn

**CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD**

Agenda No.

PUBLIC PROTECTION COMMITTEE: 4th August 2015

Report of the Head of Regulatory Services

**REQUEST FOR THE APPROVAL OF AN ICABBI GPS TAXI MANAGEMENT
& DISPATCH SYSTEM**

1. Background

- 1.1 At its meeting of 6 March 2012 the Committee approved the Autocab GPS taxi management and dispatch system for use in private hire vehicles. As a result the following condition was added to the City of Cardiff Council's Private Hire Vehicle Licence Conditions:

Condition 14: 'A GPS taxi management & dispatch system consisting of a mobile vehicle data head and a central dispatch system manufactured by Autocab UK may be fitted in accordance with the manufacturer's instructions to private hire vehicles.'

- 1.2 An application has been made by Dragon taxis to approve the use of a similar system manufactured by iCabbi, for use in private hire vehicles.

2. Details of the System

- 2.1 The iCabbi system consists of a mobile data head (PDA) and a central dispatch system. The PDA in the vehicle displays the fare calculation.
- 2.2 As with the Autocab system the system cannot be considered a taximeter as it does not comply with the Measuring Instruments (Taximeters) Regulations 2006.
- 2.3 Full details of the system can be found on the company's website: <http://www.icabbi.com/>

3. Consultation

- 3.1 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.

4. Achievability

This report contains no equality personnel or property implications.

5. Legal Implications

- 5.1 The iCabbi System does not comply with the EU Measuring Instruments Directive and consequent UK regulations, therefore, it cannot be considered for use as a taximeter in hackney carriages. However it could be considered for use in private hire vehicles subject to amendment of the Council's Private Hire Vehicle Licence Conditions as set out in the Recommendation.

6. Financial Implications.

- 6.1 This report contains no financial implications

7. Recommendation

- 7.1 It is recommended that the Committee consider the approval of the iCabbi management and dispatch system for use in private hire vehicles.
- 7.2 If approved, it is recommended that Private Hire Vehicle Licence Condition 14 be amended to read as follows:
'A GPS taxi management & dispatch system consisting of a mobile vehicle data head and a central dispatch system, of a type approved by the City of Cardiff Council, may be fitted in accordance with the manufacturer's instructions to private hire vehicles.'
- 7.3 That the Head of Regulatory Services is authorised on behalf of the City of Cardiff Council to approve GPS taxi management & dispatch systems for use in private hire vehicles.
- 7.4 That the Head of Regulatory Services is authorised to make minor administrative changes to the Taxi Licensing Policy and Conditions.

Dave Holland
HEAD OF REGULATORY SERVICES

14 July 2015

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

Background Papers: Report of the Head of Regulatory & Supporting Services, 6 March 2012: Public Protection Committee – Request for the Approval of the GPS Taximeter

APPENDIX A

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