

APPENDIX 2

TAXI AND REGULATORY COMMITTEE

TERMS OF REFERENCE

1. To discharge on behalf of the Council all matters relating to the grant, refusal, issue, revocation, cancellation and suspension of licences or permits and without prejudice to the generality of the foregoing to discharge these functions.

The functions that go to the full Taxi and Regulatory Committee will be the adoption of policies, fee setting and training.

The Committee may delegate the exercise of its functions to a Sub-committee or officers as appropriate.

The Sub-Committee will hear those applications that have relevant representations/objections and any information that may affect the continuation of a licence/permit already granted. All other matters are to be delegated to authorised officers.

The Taxi and Regulatory Committee may regulate its own procedure and that of sub-committees, subject to any regulations, in relation to the conduct of hearings, access to public and publicity.

The functions referred to in 1 above are in respect of:

Private Hire Operators.

Private Hire and Hackney Carriage Drivers.

Private Hire Vehicles.

Hackney Carriage

Hypnotism

Lottery Registrations

Street Collections.

House-to-House Collections.

Street Trading.

Sex Shops & Sexual Entertainment Venues.

Burials in Public Cemeteries.

Reservoirs.

Dangerous Wild Animals.

Animal Boarding Establishments.

Guard Dogs.

Performing Animals.

Zoos.

Camping Sites.

Caravan Sites.

Pleasure Boats.

Filling Materials.

Riding Establishments.

Charities for Disabled Persons and War Charities.

Explosives.

Fireworks.

Petroleum.

Marriage & Civil Partnerships.

Those matters set out in Part B of Schedule 1 of the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 in so far as they are not governed by the Licensing Act 2003 and/or the Gambling Act 2005 , Part 4 Public Health (Wales) Act 2017 Special Procedure Practitioner licences or delegated separately under Part 3 of the Council's Constitution.

Such other matters as may from time to time under statute or practice fall to be considered by the Council in a quasi-judicial manner, other than employment appeals or grievances in so far as they are not governed by the Licensing Act 2003 and/or the Gambling Act 2005 or delegated separately under Part 3 of the Council's Constitution.

POWERS DELEGATED TO THE COMMITTEE

All those matters listed above, including a power to delegate to a Sub-committee the power to determine matters within the Committee's Terms of Reference.

POWERS DELEGATED TO OFFICERS

Power	Delegated to
In relation to the hackney carriage and private hire licensing functions, the determination of applications for drivers' licences where they are unproblematic and/or reveal minor traffic offences and/or the applicants had not received any additional convictions/endorsements since the previous licences were issued	Chief Officer Social Care Health
To determine (including imposition of conditions) application for a Pleasure Boat Licence pursuant to s 94 Public Health Amenities Act 1907;	Chief Officer Social Care Health
The authority to grant, refuse or vary licenses in respect of riding establishments	
Under the Mobile Homes (Wales) Act 2013, to issue site licences with conditions, as necessary; to serve the site owner a fixed	Chief Officer Social Care Health

penalty notice and/or compliance notice; to take emergency action; and the power to enter the site;	
Under the Public Health (Control of Disease) Act 1984 (as amended by the Health and Social Care Act 2008) and Regulations made under the 1984 Act to enter premises (Sections 61 and 62) and to sign any notice, order or other document which the authority are authorised or required by or under this Act to give, make or issue (Section 59);	Chief Officer Social Care Health
Under the Petroleum Consolidation Act 1928 to grant or vary petroleum licences;	Chief Officer Social Care Health
To approve applications and issue licences under the Scrap Metal Dealers Act 2013 in cases where no relevant information needs to be considered.	Chief Officer Social Care Health Principal Licensing Officer <i>This power to approve applications and issue licences may be exercised by a deputy or other persons duly authorised by the Principal Licensing Officer, including Senior Licensing Officers.</i>
In consultation with appropriate member, to authorise the issue of the following licences and, where necessary, enforce the legislation relating to licences: (i) for the breeding of dogs; (ii) for caravan sites; (iii) for milk and dairies; (iv) for pet animals (other than dogs); (v) under the Animal Boarding Establishment Act 1963 for riding stables; (vi) for scrap metal dealers; (vii) for hairdressers; (viii) under the Poultry Meat (Hygiene) Regulations; (ix) for performing animals; (x) for dangerous wild animals; (xi) for zoos;	Chief Officer Social Care Health
In consultation with the local member, where appropriate, to authorise the issue of licences and permits etc., under, and where necessary enforce, the following Acts or the legislation relating to the specified matters: (i) Street Collection Permits; (ii) Licences for House to House Collections; (iii) Public Collections under the Charities Act 1992;	Chief Officer Social Care Health

The quorum for the Taxi and Regulatory sub-committee is two. Every effort will be made to maintain the sub-committee at three members present when dealing with an application but there will inevitably be some circumstances where a member is unable to attend at the last

minute and a substitute cannot be found or a member part way through needs to declare an interest and withdraw from the hearing. In accordance with our Standing Orders, the chairman will have a casting vote. The Taxi and Regulatory Committee needs to be politically balanced.

Members serving on the Taxi and Regulatory Sub-committee will be drawn in rotation from the whole of the Taxi and Regulatory Committee. This will allow each member an equal opportunity to contribute to the work of the Committee and will hopefully ensure a fairness to members in the demands being made on them to sit.

The chair and vice-chair of the Taxi and Regulatory Committee are not automatically on the Taxi and Regulatory sub-committee but will be part of the normal rotation.

The current restriction within Standing Orders which prohibits a meeting sitting for longer than four hours be removed from applying to the Taxi and Regulatory Committee or its sub-committee, subject to a requirement on the Committee or Sub-committee to take appropriate breaks so as to ensure the comfort of those participating in the meeting.