

A G E N D A

Regulatory Committee

Date: **Tuesday, 4 November, 2008**

Time: **2.00 p.m.**

Place: **The Council Chamber, Brockington, 35
Hafod Road, Hereford**

Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

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Herefordshire Council

AGENDA

for the Meeting of the Regulatory Committee

To: Councillor P Jones CBE (Chairman)
Councillor JW Hope MBE (Vice-Chairman)

Councillors CM Bartrum, DJ Benjamin, ME Cooper, PGH Cutter, SPA Daniels,
JHR Goodwin, PJ McCaull, A Seldon and DC Taylor

	Pages
<p>1. APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
<p>2. NAMED SUBSTITUTES (IF ANY)</p> <p>To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.</p>	
<p>3. DECLARATIONS OF INTEREST</p> <p>To receive any declarations of interest by Members in respect of items on the Agenda.</p> <p>GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS</p> <p>The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.</p> <p>A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.</p> <p>Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is and leave the meeting room.</p>	
<p>4. MINUTES</p> <p>To approve and sign the Minutes of the meeting held on 7 October 2008.</p>	1 - 4

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| 5. PROCEDURAL ARRANGEMENTS | 5 - 6 |
| To note the procedural arrangements for the meeting. | |
| 6. MINISTERIAL LETTER TO LOCAL AUTHORITIES | 7 - 20 |
| To note the letter of 19 September 2008 addressed to Chief Executives from Gerry Sutcliffe MP, Ministry of Sport, Department of Culture Media and Sport. | |
| 7. ALCOHOL CONSUMPTION IN PUBLIC PLACES - DESIGNATION OF PUBLIC PLACES IN KINGTON | 21 - 22 |
| To review 'The Herefordshire (Alcohol Consumption in Designated Places) Order (No.6) 2007 in respect of Kington. | |
| 8. REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE, DRIVER AND OPERATOR PENALTY POINT SCHEME. | 23 - 34 |
| To review the penalty points system in respect of Hackney Carriages, Hackney Carriage & Private Hire Driver Licences and Operators Licences. | |
| 9. APPLICATION TO RE-INSTATE AN EXPIRED HACKNEY CARRIAGE VEHICLE LICENCE | 35 - 36 |
| To consider an application made by Mr Maddy to deviate from the standard condition number 9.5. | |
| 10. APPLICATION TO RE-INSTATE AN EXPIRED HACKNEY CARRIAGE VEHICLE LICENCE | 37 - 38 |
| To consider an application made by Mr Pavi to deviate from the standard condition number 9.5. | |
| 11. APPLICATION TO DEVIATE FROM STANDARD CONDITION 3.3A HACKNEY CARRIAGE VEHICLE LICENCE | 39 - 40 |
| To consider an application made by Mr Gudas to deviate from the standard condition number 3.3(A). | |

EXCLUSION OF THE PUBLIC AND PRESS

In the opinion of the Proper Officer, the following items will not be, or are likely not to be, open to the public and press at the time they are considered.

RECOMMENDATION: that under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act.

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| 12. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE MATTERS REGARDING AN EXISTING DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 | 41 - 42 |
| To consider matters regarding an existing hackney carriage/private hire driver's licence and to determine whether the licence holder continues to be a fit and proper person to hold a dual licence. | |

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| 13. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE MATTERS REGARDING AN EXISTING DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 | 43 - 44 |
| <p>To consider matters regarding an existing hackney carriage/private hire driver's licence and to determine whether the licence holder continues to be a fit and proper person to hold a dual licence.</p> | |
| 14. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE MATTERS REGARDING A DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 | 45 - 48 |
| <p>To consider matters regarding an application for a hackney carriage/private hire driver's licence.</p> | |
| 15. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE MATTERS REGARDING A DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 | 49 - 52 |
| <p>To consider matters regarding an application for a hackney carriage/private hire driver's licence.</p> | |
| 16. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE MATTERS REGARDING A DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 | 53 - 56 |
| <p>To consider matters regarding an application for a hackney carriage/private hire driver's licence.</p> | |
| 17. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE MATTERS REGARDING A DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 | 57 - 60 |
| <p>To consider matters regarding an application for a hackney carriage/private hire driver's licence.</p> | |