

**MINUTES of the meeting of Regulatory Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Wednesday, 9th August, 2006 at 10.00 a.m.**

Present: Councillor R.I. Matthews (Chairman)
Councillor Brig. P. Jones CBE (Vice Chairman)

Councillors: Mrs. S.P.A. Daniels, G.W. Davis, D.J. Fleet,
J.W. Hope MBE, T.W. Hunt and P.G. Turpin

In attendance: Councillors (none)

21. ASSISTANT RIGHTS OF WAY OFFICER

The Chairman welcomed Sian Barnes, Assistant Rights of Way Officer, to her first meeting.

22. COMMITTEE MEMBERSHIP

It was noted that Councillors Bramer and Lucas had been appointed as new members of the Committee but that there were still two vacancies upon it which would need to be determined by the Group Leaders.

The Chairman read out a letter of good wishes from Councillor R Preece who was no longer a member of the Committee.

23. APOLOGIES FOR ABSENCE

Apologies were received from Councillor G Lucas.

24. NAMED SUBSTITUTES (IF ANY)

There were no named substitutes present at the meeting.

25. DECLARATIONS OF INTEREST

There were no declarations of interest made.

26. MINUTES

RESOLVED: That the Minutes of the meeting held on 4th July, 2006 be approved as a correct record and signed by the Chairman.

**27. HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION
ORDER FOOTPATH ESG 22 (PART) IN THE PARISH OF STRETTON
GRANDISON**

A report was presented by the Rights of Way Manager about an application for a Public Path Diversion Order to divert part of Footpath ESG22, Stretton Grandison, under the Highways Act 1980, Section 119. He advised that the application had been made to divert the footpath from the garden of the applicant's property, thereby making it more convenient for the applicant and those using the footpath. He said

that it was felt by the officers that the diversion met the tests set out in s.119 of the Highways Act in that it benefited the owner of the land crossed by the path and that it was not substantially less convenient to the public. The applicant had carried out the required pre-order consultation and the proposal had general agreement from the Parish Council, the Ramblers Association, the Open Spaces Society and the adjoining landowner. He felt that the application should therefore be granted.

Having considered all the facts in respect of the diversion, the Committee agreed with the course of action suggested by the Rights of Way manager.

RESOLVED:

That a public path diversion order is made in respect of footpath ESG22 in the parish of Stretton Grandison under section 119 of the Highways Act 1980

28. HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER FOOTPATH LV59 (PART) IN THE PARISH OF LLANVEYNOE

The Rights of Way Manager presented a report about an application for a Public Path Diversion Order to divert part of Footpath LV59, Llanveynoe, under the Highways Act 1980, Section 119. He advised that the application had been made to divert the footpath from the garden of the applicant's property, thereby making it more convenient for the applicant and those using the footpath. He said that it was felt by the officers that the diversion met the tests set out in s.119 of the Highways Act in that it benefited the owner of the land crossed by the path and that it was not substantially less convenient to the public. The applicant had carried out the required pre-order consultation and the proposal had general agreement from the Parish Council, the Ramblers Association, the Open Spaces Society and the adjoining landowner. He felt that the application should therefore be granted.

Having considered all the facts in respect of the diversion, the Committee agreed with the course of action suggested by the Rights of Way manager. The Committee also asked that the Rights of Way Manager to provide details of the costs involved in making Diversion Orders, at the next meeting.

RESOLVED:

- (a) that a public path diversion order is made in respect of footpath VV 59 in the parish of Llanveynoe under section 119 of the Highways Act 1980**
- (b) that the Rights of Way Manager provide details of the costs involved in making Diversion Orders at the next meeting.**

29. PROCEDURAL ARRANGEMENTS

The Committee noted the procedural arrangements for hearing appeals to ensure that the laws of natural justice were followed to give a fair hearing for applicants and to the Licensing Officers.

30. PRIVATE HIRE VEHICLE CONDITIONS ATTACHED TO A SPECIALIST PRIVATE HIRE VEHICLE (FIRE ENGINE) LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Licensing officer provided the Committee with the details of an application for the granting of a Private Hire Vehicle Licence in respect of a de-commissioned Fire Engine. The applicant wished to use the vehicle for events such as children's parties but under the Local Government (Miscellaneous Provisions) Act 1976 as a motor

vehicle constructed or adapted to seat fewer than nine passengers had to be licensed and governed by the appropriate reasonable conditions. She provided the Committee with a suggested list of conditions and outlined the alternatives which were available to it regarding the application.

Having considered all of the facts put forward by the Licensing Officer, the Committee decided that the licensed could be granted provided that those driving the vehicle obtained the appropriate operator and driver's licences and the addition of a condition requiring drivers of the vehicle to hold a HGV licence.

RESOLVED

That the application and conditions to be attached to a specialist Private Hire Vehicle in respect of a de-commissioned Fire Engine be approved, subject to the addition of a condition requiring drivers of the vehicle to hold a HGV licence.

The meeting ended at 10.30 a.m.

CHAIRMAN