

**MINUTES of the meeting of Regulatory Committee held at :
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Tuesday, 28th August, 2007 at 2.00 p.m.**

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

Councillors: CM Bartrum, DJ Benjamin, ME Cooper, PGH Cutter,
JHR Goodwin, R Mills, A Seldon and DC Taylor

39. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs SPA Daniels.

40. NAMED SUBSTITUTES (IF ANY)

There were no named substitutes present.

41. DECLARATIONS OF INTEREST

There were no declarations made at the meeting

42. MINUTES

RESOLVED: That the Minutes of the meeting held on 31st July, 2007 be approved as a correct record and signed by the Chairman.

43. HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER FOOTPATH CD9 (PART) IN THE PARISH OF CRADLEY

The Rights of Way Manager presented a report about an application by the Council for a Public Path Diversion Order to divert part of Footpath CD9, Cradley, under Section 119 of the Highways Act 1980. The applicants had applied for the diversion to segregate users of the path from vehicular traffic and to afford greater security to their property. The Ramblers Association felt that the proposed route was less convenient to the public as it travelled up steps on a less even surface and would be enclosed between a hedge and a fence. The Disabled Ramblers Association had agreed with this view. In the light of these comments, the applicants had amended their plans to provide a better access for less able-bodied users and it was anticipated that this would overcome the objections raised. He was therefore of the view that the application met the criteria under which a Diversion Order could be made.

The Committee agreed with the course of action suggested by the Rights of Way Manager that the Diversion Order should be made.

RESOLVED:

that a Public Path Diversion Order be made under Section 119 of the Highways Act 1980 in respect of part of Footpath CD9, Cradley as illustrated on drawing number: D272/99-9(i)

44. APPLICATION FOR AN AMUSEMENT WITH PRIZES MACHINES PERMIT FOR OVER TWO MACHINES – SECTION 34 THE GAMING ACT 1968

The Licensing Officer presented a report about an application for an Amusements With Prizes Permit for four gaming machines at the Litten Tree, Commercial Road, Hereford. The Chairman advised that he had held a site visit of the premises on 24th August with the Vice-Chairman and that the application met all of the licensing criteria.

Having considered all the aspects of the application, the Committee was satisfied that it should be granted.

RESOLVED:

that an application be granted for four Amusement with Prizes machines under Section 34 of the Gaming Act 1968 at the Litten Tree, Commercial Road, Hereford.

45. ARRANGEMENTS FOR BRIEFING ABOUT STREET TRADING AND TAXI LICENSING

It was noted that a briefing would take place at 1:00 pm, prior to the next meeting on 25th September, 2007.

46. 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.

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.

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

These items disclose information relating to any particular applicant for or recipient of or former recipient of, any service provided by the authority.

47. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE

The Licensing Officer referred to agenda item No. 9 and provided the Committee with the circumstances which had given rise to the need for an application for a dual Hackney Carriage/Private Hire driver's licence to be referred to the Committee. The applicant provided the Committee with details of the events which had given rise to him receiving a conviction and the reasons why he felt that he should be granted the licence.

Having considered all of the facts put forward by the Licensing Officer and the applicant, the Committee decided that the applicant was a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976 and that he could be granted a dual driver's licence.

48. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE.

The Licensing Officer referred to agenda item No. 10 and provided the Committee with the circumstances which had given rise to the need for an application for a dual Hackney Carriage/Private Hire driver's licence to be referred to the Committee. The applicant provided the Committee with details of the events which had given rise to him receiving a caution and the reasons why he felt that he should be granted the licence.

Having considered all of the facts put forward by the Licensing Officer and the applicant, the Committee decided that the applicant was a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976 and that he could be granted a dual driver's licence.

49. ISSUE REGARDING AN EXISTING HACKNEY CARRIAGE/PRIVATE HIRE DRIVER.

The Licensing Officer referred to agenda item No. 11 and provided the Committee with the circumstances which had given rise to the suspension of a dual Hackney Carriage/Private Hire driver's licence. The applicant provided the Committee with details of the events which had given rise to him being investigated by the Police and the reasons why he felt that he should be allowed to continue to hold the licence.

Having considered all of the facts put forward by the Licensing Officer and the applicant, the Committee noted that the Police did not intend taking any further action. The Committee therefore decided that the applicant was a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976 and that the suspension on his dual driver's licence could be lifted.

The meeting ended at 3.06 p.m.

CHAIRMAN