

**MINUTES of the meeting of Regulatory Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Tuesday, 6 January 2009 at 2.00 p.m.**

Present: Councillor JW Hope MBE (Chairman)
Councillor (Vice Chairman)

Councillors: CM Bartrum, DJ Benjamin, ME Cooper, SPA Daniels,
JHR Goodwin, A Seldon and DC Taylor

In attendance: Councillors

81. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors PGH Cutter and Brigadier P Jones. In the absence of the Chairman, the Vice-Chairman assumed the Chair for the meeting.

82. NAMED SUBSTITUTES (IF ANY)

There were no named substitutes present at the meeting.

83. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

84. MINUTES

RESOLVED: That the Minutes of the meeting held on 2nd December, 2008 be approved as a correct record and signed by the Chairman.

85. 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 to the applicants and to the Licensing Officers.

**86. APPLICATION TO RE-INSTATE AN EXPIRED PRIVATE HIRE VEHICLE
LICENCE OUTSIDE STANDARD CONDITION 9.5 BY CLIFFORD JAMES ADRIAN
HOWELLS.**

The Senior Litigator introduced the report of the Head of Environmental Health and Trading Standards about an application to reinstate an expired Private Hire vehicle licence outside the Council's licensing policy 9.5. He said that Mr Howells' licence had expired on 24th November, 2008 and that he had applied to renew it on 27th November. He outlined the Council's policy for renewing such licences. The Licensing Officer provided the Committee with further details about the application and said that as decided previously by the Committee, a temporary licence had been granted to Mr Howells because his application for renewal had been made within seven days of the expiry of the licence.

Having considered the circumstances regarding the application, the Committee decided that a decision on the application should be deferred until the next meeting to enable the applicant to be present so that his views could be obtained on the matter.

RESOLVED THAT:

Consideration of an application from Mr JA Howells to deviate from the standard condition number 9.5, in respect of plate No.P223 for a Ford Focus be deferred and that a temporary licence be granted in the meantime until the next meeting of the Committee on 3rd February, 2009.

87. 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 they involve 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.

88. INCIDENT INVOLVING A LICENCED HACKNEY CARRIAGE & PRIVATE HIRE VEHICLE DRIVER

The Senior Litigator referred to Agenda item No. 8 and introduced the report of the Head of Environmental Health and Trading Standards about an incident involving a licensed hackney carriage/private hire driver and a Licensing Officer. The Acting Regulatory Services Manager suggested that as both were unable to attend the meeting, the matter should be deferred because there were a number of issues to be clarified with the driver. The Committee agreed to this course of action.

89. APPLICATION FOR A DUAL HACKNEY CARRIAGE & PRIVATE HIRE DRIVER LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Senior Litigator referred to agenda item No. 9 and introduced the report of the Head of Environmental Health and Trading Standards about an application for a dual Hackney Carriage/Private Hire driver's licence. The Licensing Officer provided the Committee with the circumstances which had given rise to the need for the application being referred to the Committee. The Senior Litigator advised on the issues in the report which could be considered by the Committee in determining the application. It was agreed that paragraph No 8 of the report be deleted and that the subsequent paragraphs should be renumbered.

Having considered the circumstances regarding the application, the Committee decided that a decision on the application should be deferred until the next meeting to enable the applicant to be present. Also, in view of the length of time which had elapsed between the application being made and the results of the CRB check being received, the Committee instructed the Acting Regulatory Services Manager to ascertain if the applicant still wanted to obtain a licence.

REGULATORY COMMITTEE

TUESDAY, 6 JANUARY 2009

The meeting ended at 2.40 p.m.
<LAYOUT_SECTION>

CHAIRMAN