

# AGENDA

## Regulatory Committee

Date: **Tuesday 9 February 2010**

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Time: **2.00 pm**

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

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

For any further information please contact:

**Pete Martens, Committee Manager Planning & Regulatory**

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If you would like help to understand this document, or would like it in another format or language, please call Pete Martens, Committee Manager Planning & Regulatory on 01432 260248 or e-mail [pmartens@herefordshire.gov.uk](mailto:pmartens@herefordshire.gov.uk) in advance of the meeting.

# Agenda for the Meeting of the Regulatory Committee

## Membership

**Chairman**                    **Councillor Brig P Jones CBE**  
**Vice-Chairman**        **Councillor JW Hope MBE**

**Councillor CM Bartrum**  
**Councillor DJ Benjamin**  
**Councillor PGH Cutter**  
**Councillor SPA Daniels**  
**Councillor JHR Goodwin**  
**Councillor RC Hunt**  
**Councillor PJ McCaull**  
**Councillor A Seldon**  
**Councillor JD Woodward**

## Non Voting

### **GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS**

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.

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.

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. A Councillor who has declared a prejudicial interest at a meeting may nevertheless be able to address that meeting, but only in circumstances where an ordinary member of the public would be also allowed to speak. In such circumstances, the Councillor concerned will have the same opportunity to address the meeting and on the same terms. However, a Councillor exercising their ability to speak in these circumstances must leave the meeting immediately after they have spoken.

**AGENDA**

|    |  | Pages   |
|----|--|---------|
| 1. | <p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive apologies for absence.</p>   |         |
| 2. | <p><b>NAMED SUBSTITUTES (IF ANY)</b></p> <p>To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.</p>   |         |
| 3. | <p><b>DECLARATIONS OF INTEREST</b></p> <p>To receive any declarations of interest by Members in respect of items on the Agenda.</p>  |         |
| 4. | <p><b>MINUTES</b></p> <p>To approve and sign the Minutes of the meeting held on 8th December, 2009.</p>  | 1 - 4   |
| 5. | <p><b>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER FOOTPATH EH18 (PART) IN THE PARISH OF EWYAS HAROLD</b></p> <p>To consider an application under the Highways Act 1980, section 119, to make a Ppublic Path Diversion Order to divert part of footpath EH18, Ewyas Harold.</p> <p>Wards Affected<br/><b>Golden Valley South</b></p> | 5 - 10  |
| 6. | <p><b>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER, FOOTPATH LW4 (PART) IN THE PARISH OF LLANWARNE</b></p> <p>To consider an application under the Highways Act 1980, section 119, to make a public path diversion order to divert part of footpath LW4, Llanwarne.</p> <p>Wards Affected<br/><b>Pontrilas</b></p>                   | 11 - 18 |
| 7. | <p><b>PROPOSED HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE CONDITIONS. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 AND TOWN POLICE CLAUSES ACT 1847</b></p> <p>To consider implementing revised licence conditions for private hire and hackney carriage vehicles.</p> <p>Wards Affected<br/>Countywide</p>   | 19 - 76 |

8. **APPLICATION FOR APPROVAL FROM PONTING & BETTY LTD TO BE ON HEREFORDSHIRE COUNCIL'S APPROVED LIST FOR WHEELCHAIR ACCESS FACILITIES & N1 CONVERSION FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES** 77 - 140

To consider approving Ponting & Betty Ltd as an *'approved manufacturer of wheelchair access vehicles to be used as licensed vehicles in Herefordshire'* and as *'an approved manufacturer of N1 conversions'*.

9. **REVIEW OF THE LICENSING 'STATEMENT OF PRINCIPLES' (POLICY) UNDER THE GAMBLING ACT 2005. - GAMBLING ACT 2005** 141 - 162

To consider a review of the Licensing 'Statement of Principles' (Policy).

10. **PROCEDURAL ARRANGEMENTS** 163 - 164

To note the procedural arrangements for the meeting.

#### **EXCLUSION OF THE PUBLIC AND PRESS**

In the opinion of the Proper Officer, the following item 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 they involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below

11. **DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - INCIDENT REGARDING THE HOLDER OF A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976** 165 - 170

To consider an incident regarding a licenced hackney carriage/private hire driver.

12. **DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - INCIDENT REGARDING THE HOLDER OF A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976** 171 - 176

To consider an incident regarding a licenced hackney carriage/private hire driver.

13. **DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - INCIDENT REGARDING THE HOLDER OF A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976** 177 - 182

To consider an incident regarding a licenced hackney carriage/private hire driver.

14. **DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - MATTER REGARDING THE HOLDER OF A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976** 183 - 186

To consider a matter regarding a licenced hackney carriage/private hire driver.

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| <b>15. DUAL (HACKNEY CARRIAGE &amp; PRIVATE HIRE) DRIVER'S LICENCE - APPLICATION FOR A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b> | 187 - 194 |
| To consider an application for a hackney carriage/private hire driver's licence.  |           |
| <b>16. DUAL (HACKNEY CARRIAGE &amp; PRIVATE HIRE) DRIVER'S LICENCE - APPLICATION FOR A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b> | 195 - 202 |
| To consider an application for a hackney carriage/private hire driver's licence.  |           |
| <b>17. DUAL (HACKNEY CARRIAGE &amp; PRIVATE HIRE) DRIVER'S LICENCE - APPLICATION FOR A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b> | 203 - 210 |
| To consider an application for a hackney carriage/private hire driver's licence.  |           |
| <b>18. DUAL (HACKNEY CARRIAGE &amp; PRIVATE HIRE) DRIVER'S LICENCE - APPLICATION FOR A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b> | 211 - 218 |
| To consider an application for a hackney carriage/private hire driver's licence.  |           |
| <b>19. DUAL (HACKNEY CARRIAGE &amp; PRIVATE HIRE) DRIVER'S LICENCE - APPLICATION FOR A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b> | 219 - 226 |
| To consider an application for a hackney carriage/private hire driver's licence.  |           |