

# AGENDA

## Regulatory Committee

Date: **Tuesday 6 July 2010**

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Time: **2.30 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

<b>Chairman</b>	<b>Councillor JW Hope MBE</b>
<b>Vice-Chairman</b>	<b>Councillor PGH Cutter</b>
	<b>Councillor CM Bartrum</b>
	<b>Councillor DJ Benjamin</b>
	<b>Councillor SPA Daniels</b>
	<b>Councillor JHR Goodwin</b>
	<b>Councillor RC Hunt</b>
	<b>Councillor Brig P Jones CBE</b>
	<b>Councillor PJ McCaull</b>
	<b>Councillor GA Powell</b>
	<b>Councillor A Seldon</b>

## **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
<p><b>1. ELECTION OF CHAIRMAN AND APPOINTMENT OF VICE-CHAIRMAN</b></p> <p>To note that at the meeting of Council on 28 May 2010, Councillor JW Hope MBE was elected as Chairman of the Regulatory Committee and Councillor PGH Cutter was appointed Vice-Chairman.</p>	
<p><b>2. APOLOGIES FOR ABSENCE</b></p> <p>To receive apologies for absence.</p>	
<p><b>3. 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>	
<p><b>4. DECLARATIONS OF INTEREST</b></p> <p>To receive any declarations of interest by Members in respect of items on the Agenda.</p>	
<p><b>5. MINUTES</b></p> <p>To approve and sign the Minutes of the meeting held on 1st June, 2010.</p>	1 - 4
<p><b>6. PROCEDURAL ARRANGEMENTS</b></p> <p>To note the procedural arrangements for the meeting.</p>	5 - 6
<p><b>7. HIGHWAYS ACT 1980, SECTION 119, PROPOSED PUBLIC PATH DIVERSION ORDER - FOOTPATH MB4 MUCH BIRCH</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 MB4 in the parish of Much Birch.</p> <p>Ward Affected: <b>Pontrilas</b></p>	7 - 12
<p><b>8. ADOPTION OF SCHEDULE 3 TO THE LOCAL GOVERNMENT (MISC PROVISIONS) ACT 1982</b></p>	13 - 18
<p><b>Appendix 1 - SCHEDULE 3 CONTROL OF SEX ESTABLISHMENTS</b></p>	19 - 30
<p><b>Appendix 2 - SECTION 27 OF THE POLICING AND CRIME ACT 2009</b></p>	31 - 34
<p><b>Appendix 3 - MINISTERS LETTER TO CHIEF EXECUTIVE</b></p>	35 - 36
<p><b>Appendix 4 - HOME OFFICE GUIDANCE</b></p>	37 - 72
<p><b>9. REVIEW OF A THREE YEAR DUAL (HACKNEY CARRIAGE AND PRIVATE HIRE) DRIVER'S LICENCE</b></p> <p>To consider appropriate action with regard to the continuance of a 3 year dual (hackney carriage and private hire) driver's badge and the collection of outstanding paperwork and money in relation to the annual self declaration.</p>	73 - 76

## EXCLUSION OF THE PUBLIC AND PRESS

In the opinion of the Proper Officer, the following item will not be, or is likely not to be, open to the public and press at the time it is considered.

**RECOMMENDATION:** 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:

Information which is likely to reveal the identity of an individual

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| <p><b>10. APPLICATION FOR A DUAL HACKNEY CARRIAGE &amp; PRIVATE HIRE DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b></p> <p>To consider an application for a dual licence.</p>   | <p>77 - 84</p>   |
| <p><b>11. APPLICATION FOR A DUAL HACKNEY CARRIAGE &amp; PRIVATE HIRE DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b></p> <p>To consider an application for a dual licence.</p>   | <p>85 - 96</p>   |
| <p><b>12. APPLICATION FOR A DUAL HACKNEY CARRIAGE &amp; PRIVATE HIRE DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b></p> <p>To consider an application for a dual licence.</p>   | <p>97 - 104</p>  |
| <p><b>13. APPLICATION FOR A DUAL HACKNEY CARRIAGE &amp; PRIVATE HIRE DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b></p> <p>To consider an application for a dual licence.</p>   | <p>105 - 112</p> |
| <p><b>14. DUAL HACKNEY CARRIAGE &amp; PRIVATE HIRE DRIVER'S LICENCE - TO CONSIDER A MATTER REGARDING THE HOLDER OF A DUAL LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b></p> <p>To consider matters regarding a dual licence holder.</p> | <p>113 - 126</p> |
| <p><b>15. DUAL HACKNEY CARRIAGE &amp; PRIVATE HIRE DRIVER'S LICENCE - TO CONSIDER A MATTER REGARDING THE HOLDER OF A DUAL LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b></p> <p>To consider matters regarding a dual licence holder.</p> | <p>127 - 130</p> |
| <p><b>16. DUAL HACKNEY CARRIAGE &amp; PRIVATE HIRE DRIVER'S LICENCE - TO CONSIDER A MATTER REGARDING THE HOLDER OF A DUAL LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b></p> <p>To consider matters regarding a dual licence holder.</p> | <p>131 - 138</p> |