

AGENDA

Regulatory Committee

Date: **Tuesday 2 November 2010**

Time: **10.30 am – please note that items 1- 9 and 11 – 14 will be dealt with in the morning and item 10 will be considered at 2:00 pm**

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

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

For any further information please contact:

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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 in advance of the meeting.

Agenda for the Meeting of the Regulatory Committee

Membership

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

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>APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
2.	<p>NAMED SUBSTITUTES (IF ANY)</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>DECLARATIONS OF INTEREST</p> <p>To receive any declarations of interest by Members in respect of items on the Agenda.</p>	
4.	<p>MINUTES</p> <p>To approve and sign the Minutes of the meeting held on 5th October, 2010.</p>	1 - 4
5.	<p>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER, FOOTPATH SP9 (PART) IN THE PARISH OF STOKE PRIOR</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 SP 9 in the parish of Stoke Prior.</p> <p>Ward affected: Hampton Court</p>	5 - 10
6.	<p>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER, FOOTPATH MD16 (PART) IN THE PARISH OF MUCH DEWCHURCH</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 MD16 in the parish of Much Dewchurch.</p> <p>Ward affected: Vallets</p>	11 - 16
7.	<p>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER, FOOTPATH WC89 (PART) IN THE PARISH OF WHITCHURCH</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 WC89 in the parish of Whitchurch.</p> <p>Ward Affected: Kerne Bridge</p>	17 - 22

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| 8. | <p>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER, FOOTPATH CO1 & CO2 (PART) IN THE PARISH OF COLLINGTON</p> <p>To consider an application under the Highways Act 1980, section 119, to make a public path diversion order to divert part of bridlepath CO1 and part of footpath CO2 in the parish of Collington.</p> <p>Ward affected: Bringsty</p> | 23 - 28 |
| 9. | <p>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER, FOOTPATH FWB6E (PART) IN THE PARISH OF FOWNHOPE</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 FWB6E in the parish of Fownhope.</p> <p>Ward affected: Backbury</p> | 29 - 36 |
| 10. | <p>APPLICATION TO REGISTER LAND AT ARGYLL RISE, BELMONT, HEREFORD AS A TOWN GREEN</p> <p><u>PLEASE NOTE THAT THIS ITEM WILL BE CONSIDERED AT 2:00 PM</u></p> <p>To determine whether land at Argyll Rise, Belmont, Hereford should be registered as a town green.</p> <p>Ward affected: Belmont</p> | 37 - 46 |
| 11. | <p>PROCEDURAL ARRANGEMENTS</p> <p>To note the procedural arrangements for the meeting.</p> | 47 - 48 |
| 12. | <p>THE PROPOSED USE OF TUK TUK'S IN HEREFORDSHIRE</p> <p>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.</p> <p>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 and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>1 Information relating to any individual.</p> <p>2 Information which is likely to reveal the identity of an individual.</p> <p>3 Information relating to the financial or business affairs of any particular person</p> | 49 - 66 |

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| <p>13. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - TO DETERMINE WHETHER A DRIVER IS A FIT AND PROPER PERSON TO HOLD A DUAL DRIVER'S LICENCE. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</p> <p>To consider a matter regarding a driver.</p> | <p>67 - 76</p> |
| <p>14. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - TO DETERMINE WHETHER A DRIVER IS A FIT AND PROPER PERSON TO HOLD A DUAL DRIVER'S LICENCE. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</p> <p>To consider a matter regarding a driver.</p> | <p>77 - 80</p> |
| <p>15. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - REVIEW OF SUSPENSION NOTICE SERVED ON A DRIVER - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</p> <p>To consider a matter regarding a driver.</p> | <p>81 - 104</p> |