

# AGENDA

## Regulatory Committee

Date: **Tuesday 7 December 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

<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 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>
	<b>Councillor JD Woodward</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
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 18th November, 2010.</p>	1 - 2
5.	<p><b>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER, FOOTPATH FWD10 (PART) IN THE PARISH OF FOWNHOPE</b></p> <p>To consider proposals to make concurrent public path creation and extinguishment orders to alter part of footpath FWD10, Fownhope.</p> <p><b>Ward Affected:</b> Backbury</p>	3 - 8
6.	<p><b>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION &amp; EXTINGUISHMENT, FOOTPATHS BM12 AND BM13 (PART) IN THE PARISH OF BODENHAM</b></p> <p>To consider a proposal to divert part of footpath BM12 and extinguish part of footpath BM13, Bodenham.</p> <p><b>Ward Affected:</b> Hampton Court</p>	9 - 18
7.	<p><b>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER, FOOTPATH LV11 (PART) IN THE PARISH OF LLANVEYNOE</b></p> <p>To consider an application to make a public path diversion order to divert part of footpath LV11 in the parish of Llanveynoe.</p> <p><b>Wards Affected:</b> Castle</p>	19 - 24

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| 8.  | <p><b>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER, FOOTPATH CH20, CLEHONGER (PART) AND FOOTPATH EB25 (PART) IN THE PARISH OF EATON BISHOP</b></p> <p>To consider an application to divert part of footpath CH20, Clehonger and part of footpath EB25, Eaton Bishop.</p> <p><b>Ward affected:</b> Stoney Street</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 25 - 30 |
| 9.  | <p><b>HACKNEY CARRIAGE VEHICLE CAPPING</b></p> <p>To receive a verbal update about progress on introducing a limit on the number of hackney carriages operating within the County.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |         |
| 10. | <p><b>PROCEDURAL ARRANGEMENTS</b></p> <p>To note the procedural arrangements for the meeting.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 31 - 32 |
| 11. | <p><b>APPLICATION TO RE-INSTATE AN EXPIRED HACKNEY CARRIAGE VEHICLE LICENCE OUTSIDE STANDARD CONDITION 9.5 BY MR SHAHID ALI</b></p> <p>To decide whether to licence a vehicle outside the standards vehicle licence conditions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 33 - 60 |
| 12. | <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><b>RECOMMENDATION:</b>      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 style="margin-left: 40px;">1 Information relating to any individual.</p> <p style="margin-left: 40px;">2 Information which is likely to reveal the identity of an individual.</p> |         |
| 13. | <p><b>DUAL (HACKNEY CARRIAGE &amp; PRIVATE HIRE) DRIVER'S LICENCE - TO DETERMINE WHETHER A LICENCE HOLDER CONTINUES TO BE A FIT AND PROPER PERSON TO HOLD A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b></p> <p>To determine whether a licence holder is a fit and proper person to hold a dual driver's licence.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 61 - 66 |

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| <p><b>14. DUAL (HACKNEY CARRIAGE &amp; PRIVATE HIRE) DRIVER'S LICENCE - TO DETERMINE WHETHER A LICENCE HOLDER CONTINUES TO BE A FIT AND PROPER PERSON TO HOLD A DUAL DRIVER'S LICENCE. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b></p> <p>To determine whether a licence holder is a fit and proper person to hold a dual driver's licence.</p> | <p>67 - 80</p> |
| <p><b>15. DUAL (HACKNEY CARRIAGE &amp; PRIVATE HIRE) DRIVER'S LICENCE - TO DETERMINE WHETHER A LICENCE HOLDER CONTINUES TO BE A FIT AND PROPER PERSON TO HOLD A DUAL DRIVER'S LICENCE. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b></p> <p>To determine whether a licence holder is a fit and proper person to hold a dual driver's licence.</p> | <p>81 - 88</p> |
| <p><b>16. DATES OF FORTHCOMING MEETINGS</b></p> <p>4th January, 2011 – scheduled meeting</p> <p>11th January, 2011 – additional meeting to consider land at Argyll Rise, Belmont.</p>                                                                                                                                                                        |                |