

MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Tuesday 6 March 2012 at 11.00 am

Present: Councillor JW Hope MBE (Chairman)

Councillors: CM Bartrum and C Nicholls

103. ELECTION OF CHAIRMAN

Councillor JW Hope MBE was elected as Chairman for the Regulatory Sub-Committee hearing.

104. APOLOGIES FOR ABSENCE

No apologies for absence were received.

105. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

106. DECLARATIONS OF INTEREST

There were no declarations of interest made.

107. HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER FOOTPATH EH18 (PART) IN THE PARISH OF EWYAS HAROLD

The Parks, Countryside and Leisure Development Manager presented a report about an application under Section 119 of the Highways act 1980 to divert part of Footpath footpath EH18, Ewyas Harold.

The route of the path was over a large ladder-stile to traverse the garden wall of Golden Grove. The proposed route of the path was intended to cross the edge of the garden so as to minimise intrusion onto the property. It would also enter the garden through a gate which will also make the proposed route more accessible.

The Parks, Countryside and Leisure Development Manager felt that the proposed route would provide a more sensible line for users; and the Local Ward Member, parish council and consultees were in agreement with it. The applicant had agreed to meet all the costs associated with the diversion. The proposal also met the criteria set out in the legislation and in particular that:

- it benefited the owner of the land;
- it was not substantially less convenient to the public; and
- it would be expedient to proceed with the proposal given the benefits it will provide for public enjoyment of the footpath.

Having considered all aspects of the application, the Sub-Committee concurred with the view of the Parks, Countryside and Leisure Development Manager that the application should be approved

RESOLVED THAT

a Public Path Diversion Order be made under section 119 of the Highways Act 1980 in respect of part of Footpath EH18 in the parish of Ewyas Harold, as shown on drawing number: D416/142-18.

108. PROCEDURE FOR HEARING AN APPEAL

The Committee noted the procedure for hearing an appeal to ensure that the rules of natural justice were followed for applicants

109. APPLICATION TO LICENCE A VEHICLE OUTSIDE STANDARD CONDITION 4.1 C) AND D)

The Team Manager Licensing presented a report about an application to licence a vehicle outside standard condition 4.1 c) and d) by Mr DJ Hufton. Mr Hufton wished to licence a two-door Fiat 500 hatchback for up to three passengers. The Council's licensing conditions stipulate that each vehicle should have a capacity for a minimum of four seated passengers and a minimum of four doors. Because the vehicle only has two doors it would need to be restricted to carrying only one passenger in the front seat.

The Committee discussed the application and were of the opinion that the licensing conditions could be varied to enable the vehicle to be used for private hire provided that it was for one passenger and that the rear seats were removed.

RESOLVED

THAT the Councils vehicle licence conditions 4.1 (c) and (d) be varied to allow the granting of a private hire vehicle licence in respect of a Fiat 500 owned by Mr DJ Hufton.

The meeting ended at 11.55 am

CHAIRMAN