

MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday 11 June 2012 at 10.00 am

Present: Councillor JW Hope MBE (Chairman)

Councillors: CM Bartrum and C Nicholls

8. ELECTION OF CHAIRMAN

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

9. APOLOGIES FOR ABSENCE

No apologies for absence were received.

10. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the hearing.

11. DECLARATIONS OF INTEREST

There were no declarations of interest made.

12. APPLICATION FOR A PUBLIC PATH DIVERSION ORDER 'FOOTPATH BW1 IN THE PARISH OF BRIDSTOW'

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 BW1 in the Parish of Bridstow.

He advised that the applicants had submitted the application on 3 February 2012 and had requested that the route of the path be diverted to enable them to fence their garden and driveway away from the footpath.

The Parks, Countryside and Leisure Development Manager felt that the proposed route was acceptable for the public; and the Local Ward Member, parish council and consultees were generally in agreement with it although the Open Spaces Society had suggested that the gate at point D be removed.

The applicant had agreed to meet 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 BW1 in the parish of Bridstow, as shown on drawing number: D421/57-1.

13. PROCEDURE FOR A HEARING

The procedures were noted.

14. APPLICATION TO LICENCE A VEHICLE OUTSIDE STANDARD CONDITION 11.5

The Licensing Manager presented a report about an application to licence a vehicle outside standard condition 11.5 which stated that 'All applications received after the date of expiry will be treated as grants and not renewals and the appropriate conditions and fees will apply'. She advised the Sub-Committee that the current plate had expired on 23 April 2012 and a renewal had not been received by the Council until 27 April 2012. She also added that in February 2012 the plate had been suspended as the applicant had failed to disclose evidence that the vehicle was insured between December 2011 and May 2012.

The applicant advised the Committee that the vehicle had been off the road for long periods of time since he purchased it in April 2008. He added that the issues with the vehicle had affected his financial situation considerably and requested that the vehicle be licenced outside of the standard conditions.

The Committee discussed the application and noted that the applicant had been before them in June 2011 for a late vehicle application. At that meeting he had been issued with a warning that the Committee would not accept a further late application and it appeared that this warning had not been heeded. They therefore decided that standard condition 11.5 should be imposed and a renewal of the licence should not be issued.

RESOLVED

That the application for a licence outside of standard condition 11.5 be refused.

The meeting ended at 11.10 am

CHAIRMAN