

MINUTES of the meeting of the Regulatory Committee held at Brockington, 35 Hafod Road, Hereford on 3rd February 2004 at 2.00 pm.

Present: Councillor R.I. Matthews (Chairman)
Councillor Brig P. Jones CBE (Vice-Chairman)

Councillors: Mrs S.P.A. Daniels, J.W. Edwards, D.J. Fleet, J.W. Hope, T.W. Hunt, G. Lucas, J.W. Newman, R. Preece, D.C. Taylor, P.G. Turpin

In attendance: Councillors P.E. Harling and R.M. Wilson

40. APOLOGIES FOR ABSENCE

Apologies for were received from Councillor G.W. Davis

41. NAMED SUBSTITUTES

Councillor J.W. Edwards substituted for Councillor G.W. Davis

42. DECLARATIONS OF INTEREST

There were no declarations of interest made.

43. MINUTES

RESOLVED: That the Minutes of the meeting held on 9th December 2003 be approved as a correct record and signed by the Chairman.

44. THE LICENSING ACT 2003

The Legal Practice Manager said that guidance from Central Government about the transfer of liquor and other such licensing from the Magistrates Court to the Council from April 2003 had still not been issued. Preparation for the transfer was continuing by Officers and a series of training events would be held during February and March for Members and for Officers. When guidance had been received from the Government, any necessary changes would be made to the draft policy and it would be issued for public consultation.

45. RECENT APPEALS ARISING FROM DECISIONS BY THE REGULATORY COMMITTEE.

The Legal Practice Manager said that following the decision by the Committee not to grant extensions of the Public Entertainment Licences in respect of King Charles II, Broad Street, Ross-on-Wye and Time Nightclub, Commercial Road, Hereford, the applicants had lodged appeals with the Magistrates' Court. The Court had found in favour of the applicants and the Council would be liable for costs in the sum of £500 plus VAT in respect of King Charles II and £2,000 plus VAT in respect of Time Nightclub. He asked the Committee to give very careful consideration to such applications in future and the likely implications arising if they decided to refuse to grant the licensing hours requested.

46. FOOTPATHS ED5 (PART) & ED6 (PART) IN THE PARISH OF EARDISLAND – PROPOSED PATH RESTORATION FOLLOWING RIVER EROSION

The Committee considered a report about the alternative options for addressing the loss of parts of public footpaths ED5 & ED6 in the parish of Eardisland. The Director of Environment said that the loss had arisen through erosion by the River Arrow and that there was a danger of further erosion. Some remaining sections of the paths were now inaccessible as a public right of way. He advised on the powers available to the Council under the Highways Act 1980 to re-establish the routes or to create alternative routes.

The Head of Engineering and Transportation provided the Committee with further details about the footpaths and outlined the discussions that had taken place with local land owners. He said that although it would be possible to provide an alternative route, this could prove to be financially unviable and that there was also a danger of further erosion leading to the loss of the alternative in future years.

Having considered the options available, the Committee decided to carry out a site inspection with a view to further discussing the matter at its next meeting.

RESOLVED: That further consideration be given to the alternative options regarding the loss of parts of footpaths ED5 and ED6 at Eardisland following a site inspection and consultations with the interested parties involved.

EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED: 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.

SUMMARY OF PROCEEDINGS OF EXEMPT INFORMATION**47. FOOTPATH ED5 (PART) & ED6 (PART) IN THE PARISH OF EARDISLAND**

The Committee considered a report about the potential amount of compensation payable to Land Owners if it was decided to create new sections of public footpaths ED5 and ED6 in the parish of Eardisland.

The meeting ended at 2.30pm

CHAIRMAN