

REPORT OF THE REGULATORY COMMITTEE

Meetings Held on 16th March and 19th April, 2004

Membership:

Councillors: R.I. Matthews (Chairman), Brig. P. Jones CBE (Vice-Chairman) Mrs. S.P.A. Daniels, G.W. Davis, D.J. Fleet, J.W. Hope, T.W. Hunt, G. Lucas, J.W. Newman, R. Preece, D.C. Taylor, P.G. Turpin.

THE LICENSING ACT 2003

1. The preparations for the transfer of liquor and other such licenses from the Magistrates Court to the Council is continuing and a series of training events have been held in February and March for Members and officers. The draft policies have recently been discussed with the Police and the views of the licensing trade and other interested parties are being sought. The new arrangements will be introduced in October 2004 and refresher training will be arranged nearer the time.

FOOTPATHS ED5 (PART) & ED6 (PART) IN THE PARISH OF EARDISLAND

2. The Committee considered a report about the alternatives available to it in respect of sections of public footpaths ED5 and ED6 in the parish of Eardisland which had been lost to erosion.
3. There are a number of complications surrounding possible restoration regarding land ownership, costs and the fact that further erosion is likely in the future. Having carried out a site inspection and considered the legal position and all the facts about the footpaths and their usage, it has been decided that no further action be taken to implement the creation and extinguishment proposals for public footpaths ED5 and ED6 on the grounds that the revised route would not be sustainable or economically viable.

PLEASURE BOAT LICENSES

4. The Committee has approved revisions to the Licence Conditions and Fees as part of an ongoing programme of rationalising the licensing arrangements which have been inherited from the former local authorities. The fees and conditions relate to the following categories
 - Rowing Boats/Rowing Dinghies/Canadian Canoes;
 - Mechanically Propelled Boats;
 - Single Canoes/Kayaks;
 - Sea Cycles/Water Bikes/Similar Craft;
 - Sail Boards; and
 - Sailing Dinghies

PUBLIC ENTERTAINMENT LICENSING – APPLICATIONS WHICH REQUEST A DEVIATION FROM POLICY.

7. The Committee considered two applications for Occasional Public Entertainment Licences requesting a finishing time of later than that of 0100 hours, which is set out in the Council's Licensing Policies.
8. Each applicant was given the opportunity to present their case, as were Officers of the Environmental Health and Trading Standards Department.
9. Comments were also considered from the West Mercia Constabulary and the Fire Authority. The Committee was mindful of the implications of the Crime and Disorder Act 1998 and the fact that the finishing time was in place to protect the local community and individuals from disturbance by night time events within the County.
10. Having considered all the facts in relation to each application, the Committee took note of the Council's policies but was of the view that the applicants had given satisfactory evidence to suggest that the events would be well supervised in a responsible manner. It was clear that the applicants had gone to considerable lengths to ensure that there would only be a minimum amount of noise and nuisance caused for local residents. The applicants had held similar events in previous years and there had been no complaints from the public, West Mercia Constabulary or from the Head of Environmental Health and Trading Standards.
11. It was therefore decided that the following extension of hours should be granted, subject to conditions to be imposed by the Head of Environmental Health and Trading Standards, but only because of the exceptional circumstances involved in each application.
 - (a) Herefordshire Young Farmers Club County Rally – 7.00am Saturday, 22nd May, 2004– 2.00am Sunday, 23rd May, 2004 at Arkstone Court, Kingstone; and
 - (b) Radnor and West Herefordshire Hunt Ball – 7.30pm Saturday, 12th June, 2004 - 2.00am Sunday, 13th June, 2004 at Hergest Croft, Kington

ZOO LICENSING – REVISED STANDARD LICENCE CONDITIONS – ZOO LICENCE ACT 1981.

12. The Committee has approved revised standard licence conditions under the provisions of the Zoo Licensing Act 1981 and the Head of Environmental Health and Trading Standards will grant or refuse those applications for zoo licences which fall within the Council's zoo licensing policies.

**R.I. MATTHEWS
CHAIRMAN
REGULATORY COMMITTEE**

BACKGROUND PAPERS

- Agenda papers from the meetings of the Regulatory Committee held on 16th March and 19th April 2004.