

**MINUTES of the meeting of Regulatory Committee held at :
The Council Chamber, Town Hall, Hereford on Tuesday,
31st October, 2006 at 2.00 p.m.**

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

Councillors: G.W. Davis, J.H.R. Goodwin, J.W. Hope MBE, T.W. Hunt,
Mrs. J.A. Hyde, G. Lucas and J.W. Newman

In attendance: Councillors M.R. Cunningham and P.J. Edwards

47. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H Bramer, Mrs SPA Daniels, DJ Fleet, Brig P Jones, R Preece and PG Turpin.

48. NAMED SUBSTITUTES (IF ANY)

The following named substitutes were appointed;-

MEMBER	SUBSTITUTE
H Bramer	Mrs J Hyde
Brig P Jones	JHR Goodwin

49. DECLARATIONS OF INTEREST

There were no declarations of interest made.

50. MINUTES

RESOLVED: That the Minutes of the meeting held on 26th September, 2006 be approved as a correct record and signed by the Chairman

51. STANDARD CONDITIONS FOR FAYRE OAKS CARAVAN PARK IN RELATION TO SEPARATION DISTANCES AND THE POLICY DECISION ON CARAVAN SITE LICENCE CONDITIONS ENFORCEMENT

The Principal Lawyer explained that the Regional Reform Fire Safety Order 2005 came into effect on 1st October, 2006 and that it could have an effect upon residential as well as non-residential caravan sites. He therefore suggested that the item should be deferred pending clarification of the new regulations.

RESOLVED; that consideration of this item be deferred until the next meeting for clarification of the effects of the Regional Reform Fire Safety Order 2005 on residential caravan sites.

52. APPLICATION FOR VARIATION OF CARAVAN SITE LICENCE FOR 'FAYRE OAKS, CARAVAN PARK, KINGS ACRE ROAD, HEREFORD. HR 4 0SU - CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1950

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RESOLVED; that consideration of this item be deferred until the next meeting for clarification of the effects of the Regional Reform Fire Safety Order 2005 on residential caravan sites

53. APPLICATION FOR VARIATION OF CARAVAN SITE LICENCE FOR 'SALTMARSH CASTLE CARAVAN PARK STOURPORT ROAD, BROMYARD HR7 4PN - CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1950

The Principal Lawyer explained that the Regional Reform Fire Safety Order 2005 came into effect on 1st October, 2006 and that it could have an effect upon residential as well as non-residential caravan sites. He therefore suggested that the item should be deferred pending clarification of the new regulations.

RESOLVED; that consideration of this item be deferred until the next meeting for clarification of the effects of the Regional Reform Fire Safety Order 2005 on residential caravan sites

54. APPLICATION FOR VARIATION OF CARAVAN SITE LICENCE FOR 'COTTAGE PARK CARAVAN PARK LEDBURY ROAD, ROSS - ON - WYE HR9 7BD' - CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1950

The Principal Lawyer explained that the Regional Reform Fire Safety Order 2005 came into effect on 1st October, 2006 and that it could have an effect upon residential as well as non-residential caravan sites. He therefore suggested that the item should be deferred pending clarification of the new regulations.

RESOLVED; that consideration of this item be deferred until the next meeting for clarification of the effects of the Regional Reform Fire Safety Order 2005 on residential caravan sites

55. PROPOSED INCREASE IN HACKNEY CARRIAGE FARES 2006/2007 - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Licensing Officer presented the report of the Head of Environmental Health and Trading Standards about proposed increases in taxi fares. She said that the Local Government (Miscellaneous Provisions) Act 1976 made provision for Local Licensing Authorities to set the rates/fares within the County together with distance and all other charges. She also said that the existing fares were last reviewed and increased in October, 2005. Proposals for an increase in charges for taxi fares were published in the Hereford Times on 28th September 2006 with a two-week consultation period ending on 19th October, 2006. The proposed increases were based on small changes to the tariffs charged for distances travelled, rather than a flat percentage increase in fares across the board. It was proposed the new fares would take effect from 6th November, 2006.

The Committee considered the proposals fare structure and noted the financial pressures on the taxi trade and the anti-social hours involved. It was agreed that the new fare structure should be approved.

RESOLVED

that the proposed fare take effect from 6th November 2006 subject to the results of the consultation process being satisfactory.

56. PROCEDURAL ARRANGEMENTS

The Committee noted the procedural arrangements for hearing appeals to ensure that the laws of natural justice were followed to give a fair hearing for applicants and to the Licensing Officers.

EXCLUSION OF THE PUBLIC AND PRESS

In the opinion of the Proper Officer, the following items will not be, or are likely not to be, open to the public and press at the time they are considered.

RESOLVED: that under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below

These items disclose information relating to any particular applicant for or recipient of or former recipient of, any service provided by the authority.

57. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE WHETHER AN APPLICANT IS A 'FIT AND PROPER PERSON' TO HOLD A DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Licensing Officer said that the applicant referred to in agenda item No. 11 had withdrawn his application.

58. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE WHETHER AN APPLICANT IS A 'FIT AND PROPER PERSON' TO HOLD A DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

In the absence of the applicant, the Committee decided to defer consideration of the application referred to in agenda item No. 12, on the understanding that the applicant must attend at the next meeting.

59. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE WHETHER AN APPLICANT IS A 'FIT AND PROPER PERSON' TO HOLD A DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Licensing Officer referred to agenda item No. 13 and provided the Committee with the circumstances which had given rise to an application for a dual Hackney Carriage/Private Hire driver's licence being referred to the Committee. The Committee decided to take into consideration the applicant's spent and unspent convictions. The applicant was unable to attend the meeting due to other work commitments but had submitted a letter which was read out by the Licensing Officer.

Having considered all of the facts put forward by the Licensing Officer, the

Committee decided that he was a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976 and that the Licence should be granted.

60. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER LICENCE - TO DETERMINE WHETHER AN APPLICANT IS A 'FIT AND PROPER PERSON' TO HOLD A DUAL DRIVERS LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Licensing Officer referred to agenda item No. 14 and provided the Committee with the circumstances which had given rise to an application for a dual Hackney Carriage/Private Hire driver's licence being referred to the Committee. The Committee decided to take into consideration the applicant's spent and unspent convictions.

The applicant gave an explanation of her personal circumstances and the factors involved in her previous convictions and explained why she felt that her application should be granted.

Having considered all of the facts put forward by the Licensing Officer and the applicant, the Committee decided that she was a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976 and that the Licence should be granted.

The meeting ended at 2.40 p.m.

CHAIRMAN