

NORTH DEVON COUNCIL

Minutes of a meeting of the LICENSING COMMITTEE held at the Civic Centre, Barnstaple on Tuesday 10th March 2015 at 10.00 a.m.

PRESENT: Members:

Councillor Tucker (Chairman)

Councillors Biederman, Clark, Haywood, Hunt, Lucas, Mathews, Moore, Turner and Wilkinson.

Officers:

Head of Contentious Law (TB), Regulatory Services Officer (PF), Service Lead – Community Safety Partnership and Senior Member Services Officer (BT).

Also Present:

PC Daw Devon and Cornwall Constabulary
Sergeant P. Jones Devon and Cornwall Constabulary

54 MINUTES

RESOLVED that the minutes of the meeting held on 9th December 2014 (circulated previously) be approved as a correct record and signed by the Chairman.

55 DECLARATIONS OF INTEREST

There were no declarations of interest announced.

56 ORDER OF AGENDA

RESOLVED that item 8 be considered prior to item 6 on the agenda.

57 LEGAL HIGHS UPDATE

The Committee received an update by the Service Lead – Community Safety Partnership and PC Daw regarding the Local Government Association's recent guidance issued entitled "A councillors' guide to tackling new psychoactive substances" (circulated previously). They briefly outlined the main points contained within the guidance document.

PC Daw advised that Ireland in 2010 had introduced law to prohibit the sale of new psychoactive substances which also removed "headshops" from nearly all of the high streets in the Republic. It was anticipated that the Government would also be introducing legislation in the next Parliament to prevent the sale

of legal highs as there was currently only limited legislation available. A head shop had been closed in Exeter by using powers under the Anti-Social Behaviour Crime and Policing Act 2014 as a result of significant evidence being obtained.

RESOLVED that following the Elections in May 2015, the Committee be recommended to continue its work on campaigning to prohibit the sale of legal highs and that PC Daw, Sergeant Jones and a representative from the Health Authority be invited to a future meeting to provide an update on progress being made and to advise of the impact of legal highs on the Health Authority in terms of the number of admissions to the accident and emergency department.

**58 HACKNEY CARRIAGE RANK – QUEEN STREET,
BARNSTAPLE AND HACKNEY CARRIAGE RANK –
BOUTPORT STREET, BARNSTAPLE**

The Regulatory Services Officer briefly outlined to the Committee the nature of concerns that had been raised regarding the hackney carriage ranks provided at Queen Street and Boutport Street, Barnstaple and recommended that the Committee undertake a site inspection to view both ranks.

RESOLVED that it being 10.30 a.m., the meeting be adjourned for 30 minutes to enable the Committee to undertake a site inspection of the hackney carriage ranks provided at Queen Street and Boutport Street, Barnstaple.

The Committee viewed the provision of two hackney carriage stands provided on Queen Street and Hardaway Head. It viewed the rank located in front of Fever Boutique Nightclub and the entrance door to the premises.

Ms Whitworth, Designated Premises Supervisor explained to the Committee how the barrier system operated at the front of the premises for patrons entering the premises and to stagger the dispersal of patrons leaving the premises. She advised the Committee of the location of the smoking area and door marshals were located on the entrance doors. The Committee viewed the location of the CCTV camera located at the front of the premises.

The Committee then proceeded to Boutport Street. It viewed the hackney carriage ranks located on Boutport Street which were provided as a feeder rank to the rank at the lower end of Boutport Street. It also viewed the location of loading bays and disabled parking bays.

RESOLVED that it being 11.05 a.m. and following the conclusion of the site inspections that the meeting be reconvened.

**59 HACKNEY CARRIAGE RANK – QUEEN STREET,
BARNSTAPLE**

The Committee considered a report by the Lead Officer – Licensing (circulated previously) regarding the hackney carriage rank located outside of Fever Boutique Nightclub in Queen Street, Barnstaple.

The Regulatory Services Officer advised that the current hackney carriage rank located outside of Fever Boutique Nightclub in Queen Street, Barnstaple was approved by the Committee on 16th April 2013 and was marked on the highway around the weekend of 18th October 2014. Concerns had been raised by Devon and Cornwall Police and the Designated Premises Supervisor for Fever Boutique Nightclub which the Committee considered at its meeting on the 11th November 2014. At that meeting it was resolved that further consultation be undertaken and the results now need to be considered.

Councillors Biederman and Mathews declared personal interests as Members of Devon County Council.

PC Daw addressed the Committee and explained the reason why no representation had been made originally. He outlined the nature of concerns raised as detailed in Appendix 1 of the report. He recommended that the hackney carriage rank was removed back along Queen Street and away from the front of Fever Boutique Nightclub.

Ms Whitworth, Designated Premises Supervisor of Fever Boutique Nightclub addressed the Committee and outlined the nature of her concerns raised in Appendix 1 of the report.

RESOLVED:

- (a) that following comments received in relation to the rank located outside of Fever Boutique Nightclub in Queen Street, Barnstaple it be proposed that the rank be revoked and that a rank be provided at Hardaway Head (by way of advertisement and consultation);
- (b) That Devon County Council be recommended to re-instate the double yellow lines outside of Fever Boutique Nightclub in Queen Street, Barnstaple.

**60 HACKNEY CARRIAGE RANK – BOUTPORT STREET,
BARNSTAPLE**

The Committee considered a report by the Lead Officer – Licensing (circulated previously) regarding the hackney carriage rank located in Boutport Street, Barnstaple.

The Regulatory Services Officer advised that the current hackney carriage rank was approved by the Committee on 16th April 2013 and was marked on the highway around the weekend of 18th October 2014. He outlined the reasons and rationale for the implementation of the rank changes which were considered by the Committee on 16th April 2013, as detailed in paragraph 5.3 of the report.

Ms S. Baines, Mr D. Owen, Mr D. Wirtz, Mr Pine and Mr Duyar (business proprietors located in Boutport Street) addressed the Committee to outline their concerns regarding the rank located in Boutport Street, Barnstaple.

RESOLVED that following comments received in relation to the rank located in Boutport Street, Barnstaple it be proposed that the rank be amended to provide for three loading bays and two taxi spaces (to be located at the lower end) to provide a feeder rank to serve the first rank located in lower Boutport Street (by way of advertisement and consultation).

61 LICENSING SUB-COMMITTEE C

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee C held on 2nd December 2014 (circulated previously) be approved as a correct record and signed by the Chairman of the Sub-Committee.

62 LICENSING SUB-COMMITTEE D

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee D held on 13th January 2015 (circulated previously) be approved as a correct record and signed by the Chairman of the Sub-Committee.

63 LICENSING SUB-COMMITTEE E

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee E held on 27th February 2015 (circulated previously) be approved as a correct record and signed by the Chairman of the Sub-Committee.

Chairman

The meeting ended at 11.58 a.m.

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Committee.