

NORTH DEVON COUNCIL

Minutes of a meeting of Licensing and Community Safety Committee held at Barum Room - Brynsworthy on Tuesday, 14th May, 2024 at 10.30 am

PRESENT: Members:

Councillor York (Chair)

Councillors Biederman, Cann, Denton, Haworth-Booth, Hunt, Jusef, Lethaby, Maskell, Norman, Quinn and Williams

Officers:

Legal Advisor, Public Protection Manager, Licensing Officer and Community Protection Officer

8. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Milton and Renshaw.

NOTE: Following the meeting it was noted that Councillor Whitehead had given her apologies which had been sent via email after the commencement of the meeting.

9. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 9 APRIL 2024

RESOLVED that the minutes of the meeting held on 9 April 2024 (circulated previously) be approved as a correct record and signed by the Chair.

10. ITEMS BROUGHT FORWARD WHICH IN THE OPINION OF THE CHAIR SHOULD BE CONSIDERED BY THE MEETING AS A MATTER OF URGENCY

There were no items brought forward by the Chair that should be considered as a matter of urgency.

11. DECLARATIONS OF INTERESTS

There were no declarations of interest received.

12. TAXI RANK REVIEW

James Bench, and Sam Bull, from Devon County Council's, Traffic Orders, Policy and Programme Team were present for this item.

The Public Protection Manager advised the Committee that Devon County Council had approached the Council regarding the current number and marking of taxi stands in the North Devon Council area. The Council was required to review taxi stands from time to time and would undertake this review with Devon County Council. The Council had a duty to provide taxi ranks, and taxis provided an important link to public safety, particularly in the service to the night time economy. Comments would first be sought from the Committee on the proposals put forward by Devon County Council (circulated previously) and comments would then be sought from the taxi trade. A report would then be presented back to the Committee prior to potentially placing an advertisement in the local newspaper and going out for formal consultation. She outlined the process to the Committee advising that the Local Government Miscellaneous Provisions Act 1976, section 63, allowed North Devon Council to create hackney carriage stands subject to permission being sought from the landowner i.e. Devon County Council. Ranks could be located on private land such as the rank located at Barnstaple rail station, which was a 24 hour stand. She explained that for the creation of stands, consent needed to be obtained from the Highways Authority and consideration needed to be given as to whether the stand would have an impact on premises or transport operators. Notice was then given to the Chief Officer of Police and a notice placed in a local newspaper with a deadline of 28 days for any comments or objections to be made. Consideration would then be given to any comments or objections received. If no objections were received, then the creation of the rank could go ahead. If objections were received, sufficient to prevent the stand, then the creation of the rank could not go ahead. Devon County Council as the Highways Authority role was to consider the Traffic Regulation Orders. There were a significant number of ranks that were “no waiting” rather than “no stopping”.

James Bench, Devon County Council advised the Committee that the Traffic Regulation Orders (TRO) process required statutory consultation together with a process that must be followed. Proposed TROs were required to be advertised for 21 days. Consultation responses were then considered by the Devon County Council Ward Councillor and by the North Devon Highways and Traffic Orders Committee (HATOC). It was proposed that TROs would only be presented to the North Devon HATOC if significant objections had been received. Minor changes to TROs could be determined under officer delegated powers in consultation with the Devon County Council Ward Councillors and North Devon Council. The main principle was to make improvements to ranks to make them clearer and easier to enforce.

In response to questions raised by the Committee, James Bench, Devon County Council advised the following:

- “No stopping” would result in an instant offence if a vehicle stopped. Clearer signs were put in place. “No waiting” meant that vehicles were permitted to stop and wait for a short period, and Enforcement Officers would make observations regarding the period of time.
- The review of the taxi ranks included suggestions to make restrictions clearer for members of the public and for enforcement.

- Enforcement would be undertaken by Devon County Council Civil Enforcement Officers in accordance with a standard operating procedure. If anyone considered that they had been treated unfairly, then they would be required to make an appeal and the back office would be required to obtain evidence as part of the consideration of the appeal.
- Discussions were taking place in relation to the bus gate at Old Torrington Road. Devon County Council were currently looking at the possibility of installing cameras to identify authorised vehicles to travel through. Discussions would take place with North Devon Council. A report would be presented to a future North Devon HATOC meeting.
- Devon County Council Ward Members had not yet been consulted on the proposals. Ward Members would be consulted following consultation and whether to proceed with a TRO.

Councillor Williams declared a non registerable interest as her son was employed by Devon County Council as a Civil Enforcement Officer.

In response to questions by the Committee, Sam Bull, Devon County Council advised that as part of the review of the taxi ranks, it was proposed that all lines would be remarked.

In response to questions by the Committee, the Public Protection Manager advised the following:

- That the Local Government Miscellaneous Provisions Act 1976, section 63 related to hackney carriage and not private hire vehicles, as private hire vehicles were not permitted to use the rank.
- Hackney Carriage vehicles could ply for hire at any taxi rank in the North Devon Council area. Barnstaple train station rank required a permit from the railway authority.
- Following a number of complaints received regarding taxis not being able to access to bus lanes, the Licensing Team would wish to lobby for taxis to be permitted to use bus lanes by writing to Devon County Council Highways Authority.

In response to questions from the Committee, the Licensing Officer (PF) advised the following:

- Although there were currently no taxi companies based in Braunton, there were other taxi companies from around the surrounding area that could ply for hire and use the taxi ranks.
- Hackney Carriage owners were required to pay an annual fee to use the rank at the Barnstaple train station.
- Officers had written to Devon County Council seeking clarification regarding the use of the bus gate at Old Torrington Road.

Councillor Biederman declared an other registerable interest as a Member of Devon County Council.

Following discussions regarding the potential use of part of Castle Street (at the end closest to the Devon County Council offices) for parking with meters, Councillor York advised that she would raise this at the next Barnstaple Town Council planning meeting to seek their views.

RESOLVED that the following comments be made on the proposals put forward by Devon County Council in relation to the North Devon Taxi Rank review and be included as part of the informal consultation with the trade on the proposals and fed back to Devon County Council:

- (a) Boutport Street (Lower), Barnstaple – no proposal to amend existing “No waiting at any time” rank, but that Devon County Council be requested to explore the possibility of relocating the rank further down by two spaces to allow for the inclusion of a loading bay behind;
- (b) Boutport Street (Mid), Barnstaple – no proposal to amend existing no waiting at any time except taxis rank;
- (c) Butchers Row, Barnstaple – that the taxi rank be removed and be replaced with traffic regulation order for anyone to park between 6.00 pm to 4.00 am and that the number of disabled spaces be increased by one to a total of three;
- (d) Cross Street/Castle Street, Barnstaple - proposal to remove no waiting at any time except taxis rank in Cross Street and create new rank in Castle Street close to its junction with Commercial Road;
- (e) Holland Street, Barnstaple –proposed removal of taxi rank and replace with no loading at any time;
- (f) Mallets Lane, Barnstaple –proposed change from no waiting at any time to no stopping at any time with exception of taxis;
- (g) Queen Street (North), Barnstaple – proposed to amend from no waiting at any time with exception of taxis and change to no stopping at any time except taxis between 7pm and 7am;
- (h) Queen Street (South), Barnstaple – Formally revoke rank outside Fever and Boutique nightclub in TRO (this had already been removed by the District Council under S63 of the Local Government (Miscellaneous Provisions) Act 1976);
- (i) Tuly Street, Barnstaple – proposed to amend from no waiting at any time except taxis to no stopping at any time with exception of taxis;
- (j) Car park off Caen Street, Barnstaple – proposed to remove taxi rank at this location (change to no waiting at any time);
- (k) Exeter Road, Braunton – proposed change from existing no waiting at any time except taxis to no stopping at any time except taxis 7am-7pm (with loading only 7am-7pm) at this location;
- (l) Marlborough Road, Ilfracombe – shorten rank as proposed by Devon County Council and replace no waiting at any time except taxis with no stopping at any time except taxis;
- (m) Mill Head, Ilfracombe – proposed new no stopping at any time except taxis rank on St James Place (outside of The Admiral Collingwood (Wetherspoons) and removal of two ranks on Mill Head;
- (n) Oxford Grove, Ilfracombe – proposed change to no stopping at any time except taxis from no waiting at any time except taxis;

- (o) Capstone Road/The Quay, Ilfracombe – proposed change to no stopping at any time except taxis from no waiting at any time except taxis;
- (p) The Esplanade, Lynmouth – proposed change to no stopping at any time except taxis from no waiting at any time except taxis;
- (q) Lee Road, Lynton – proposed change to no stopping at any time except taxis from no waiting at any time except taxis;
- (r) Broad Street, South Molton –proposed change to no stopping at any time except taxis from no waiting at any time except taxis;
- (s) Barton Road, Woolacombe – no proposed amendment to existing no waiting except taxis 10pm-6am;
- (t) The Esplanade, Woolacombe – proposed change to no stopping at any time except taxis from no waiting at any time except taxis.

13. ADJOURNMENT OF MEETING

RESOLVED that it being 11.58 a.m. that the meeting be adjourned for a short comfort break.

RESOLVED that it being 12.03 pm that the meeting be reconvened.

14. COMMUNITY SAFETY UPDATES

The Service Lead – Community Safety Partnership Officer/Harm Risk advised the Committee that the Community Safety Partnership had met on 30 April 2024. He provided a brief update to the Committee on the outcomes of the meeting and advised that the minutes would be circulated to the Committee in due course.

Sergeant Kevin Connar, Community Safety Partnership provided an update to the Committee following the recent tragic deaths on 27 and 28 April 2024 following substance abuse which had been described as an “unusual batch” of heroin that had been mixed with powerful manufactured drugs. Police had been made aware of similar incidents in the Torbay area over the May bank holiday weekend. The response to the incidents demonstrated joined up working between the Police, statutory and non-statutory authorities. The local police and first responders had been given the power to administer a blocker to synthetic opioids. The police had been working closely with the Freedom Centre. There was a need for vigilance and any information from members of the community to be shared so that appropriate response could be taken.

The Committee extended their condolences to the families of those who had died and to others that had been affected. They also thanked the Police and those involved in responding to the incident over the weekend of 27 and 28 April.

The Committee discussed the circumstances as to why synthetic opioids were being manufactured and being used by individuals.

The Service Lead – Community Safety Partnership Officer/Harm Risk advised the Committee that Public Health Devon had produced guidance on safety when taking drugs. There was increasing concern regarding the manufacture of synthetic opioids in America. The law prevented the provision of safe places where people could go to use drugs in England. Together Drug and Alcohol Services located at Riverside

Court in Barnstaple had replaced the Quay Centre. Public Health Devon were providing testing kits which allowed users to test for synthetic opioids.

In response to questions from the Committee, Sergeant Kevin Connar advised that Councillors were key in obtaining knowledge within their areas and it was then important to connect communications with the Police so that they were aware. Upon receipt of information from any source, the Police undertook an assessment based on threat, risk and harm.

The Service Lead – Community Safety Partnership Officer/Harm Risk advised that a programme of bite size sessions were in the process of being arranged. These sessions were aimed at Councillors and members of the Community Safety Partnership which also included Torrridge District Council. The first session would be held in June. The sessions would include scams, modern slavery and hate crime. Details of the sessions would be sent to the Corporate and Community Services Team to share with Councillors. He also advised of the provision of a new night bus service which would be introduced from July to September 2024. The night bus service would run from Barnstaple to Bideford and Barnstaple to Ilfracombe, costing £2 per fare. This was to ensure that those visiting the night time economy were able to travel home safely and cheaply. Both the Council and Torrridge District Council had provided funding towards the provision of this service. The service would be advertised shortly. A similar service had been run last Christmas which had been successful.

15. EXPLORE INCLUSIVENESS OF DIVERSE COMMUNITIES

The Committee considered and noted a report by the Chair (circulated previously) regarding Exploring inclusiveness of Diverse Communities.

The Chair outlined the report to the Committee which had been produced following a recent meeting with Sergeant Kevin Connar, Community Safety Partnership, Community Safety Lead and the Corporate and Community Services Officer to discuss work which was happening currently and to identify any further opportunities.

In response to questions, Sergeant Kevin Connar advised that the Community Security Trust would be holding a session on 19 June 2024 regarding hate crime. Officers from the Council were working closely with and supporting Afghan families.

Chair

The meeting ended at 12.53 pm

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