

NORTH DEVON COUNCIL

Minutes of a meeting of Licensing and Community Safety Committee held at Virtual - Online meeting on Tuesday, 9th February, 2021 at 10.00 am

PRESENT: Members:

Councillor Tucker (Chair)

Councillors Biederman, Bulled, Campbell, Cann, Chesters, Gubb, Henderson, Hunt, Luggar, Mack, Orange, D. Spear, L. Spear and York

Officers:

Senior Solicitor/Monitoring Officer, Licensing Service Lead and Community Protection Officer

45. VIRTUAL MEETINGS PROCEDURE - BRIEFING AND ETIQUETTE

The Senior Corporate and Community Services Officer confirmed who was in attendance and outlined the virtual meeting procedure and etiquette to the Committee and attendees.

46. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

47. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 13TH OCTOBER 2020

RESOLVED that the minutes of the meeting held on 13 October 2020 (circulated previously) be approved as a correct record and signed by the Chair.

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

(a) Police and Crime Panel: Update

The Chair agreed for Councillor Biederman to provide an update to the Committee regarding his attendance at the last meeting of the Police and Crime Panel.

Councillor Biederman provided an update following his attendance at the last meeting of the Police and Crime Panel which set the budget for the next financial year. He would provide a more comprehensive and written report for the next meeting of the Committee and would provide an update to the Committee on a quarterly basis.

49. DECLARATIONS OF INTERESTS

There were no declarations of interest announced.

50. PROPOSED EXTENSION TO POLICY DEROGATIONS DUE TO COVID-19

The Committee considered a report by the Public Protection Manager (circulated previously) regarding the proposed extension of existing policy derogations due to Covid-19.

The Committee noted a typographical error in paragraph 4.11 and that “1 July 2010” should read “1 July 2021”.

RESOLVED that the Strategy and Resources Committee be recommended to approve the following derogations from the current Council Hackney Carriage and Private Hire Licensing Policy:

(a) Derogation to Hackney Carriage and Private Hire Licensing Policy with respect of maximum vehicle age: The Council will if a hackney carriage or private hire licence is surrendered and provided that an application is received for a further grant of the same vehicle up until the 1st July 2021, waive the following policy requirement (Section 3.5). ‘Officers are not empowered to refuse an application for a licence. Accordingly where an application for the grant of a hackney carriage licence is made when the vehicle in question is more than 5 years old, the application must be referred to the Licensing Sub-Committee for consideration. The presumption is that licences will not be granted for vehicles over 5 years old, but each application will be considered on its own merits. Factors such as the condition of the vehicle, and the mileage will be relevant.’

(b) Derogation to Hackney Carriage and Private Hire Licensing Policy in respect of fees (Section 16.3):

If an individual wishes to surrender a licence until its expiry, due to concerns over transporting passengers etc., then re-applies, the Council allow them the pro-rata fee (according to the licence period remaining) off a future licence application (for the same licence only), if made up until the 1 July 2021.

51. PUBLIC SPACE PROTECTION ORDERS IN BARNSTAPLE AND ILFRACOMBE - UPDATE

The Committee received a presentation by the Community Safety Partnership Lead Officer regarding an update on the Public Space Protection Orders (PSPOs) in Barnstaple and Ilfracombe. He outlined the background and reasons for the new PSPOs by using powers under the Anti-Social Behaviour, Crime and Policing Act 2014; new provisions of the PSPOs in Barnstaple and Ilfracombe; PSPO areas and signage which would be in place within the next three weeks; enforcement and that the Civil Enforcement Officers would have powers to enforce the orders; and how the PSPOs would be monitored by the Anti-Social Behaviour Steering Group which would be held on a monthly basis and that Members were welcome to attend. He

advised that Members should contact him direct if they wished to attend meetings of the Group or report issues of anti-social behaviour.

The Committee requested that the presentation slides be circulated to Members of the Committee.

In response to questions regarding the use of the Police 101 telephone number, the Community Safety Partnership Lead Officer advised that members of the public could also use the email address as an alternative method of contacting the 101 service. He advised that public consultation had been undertaken which ended in February 2020. Only 18 responses had been received however over 90% were in favour of the restrictions. As there had been limited number of respondees to ensure that there was sufficient evidence base prior to implementing the PSPOs, further consultation had been undertaken with the Town Councils, local charities and organisations such as the Freedom Centre and Encompass South West. Signage was required as part of the PSPOs and enforcement would be pre Community Protection Notice. The PSPO order was for a three year period and would be reviewed at the end of this period to ascertain whether there was sufficient evidence base to extend the order beyond this period. There needed to be sufficient evidence base prior to implementing a PSPO in other areas. The Civil Enforcement Officers would be provided with appropriate training mainly by the Police. He reminded the Committee of the campaign launched at the end of 2020 of donation points that had been placed at Boston Tea Party and Green Lanes where the public could use a debit card to donate £3 which would be given directly to Encompass and the Freedom Centre.

The Chair requested that a representative of the Devon and Cornwall Police Constabulary be invited to attend a future meeting of the Committee.

52. LICENSING ACTIVITIES - UPDATE

The Service Lead Licensing Officer provided the Committee with an update on the following licensing activities:

- Recruitment of two new graduates
- Pavement licensing
- Annual licence maintenance fee
- Receipt of an application for an Adults Gaming Centre located in Bear Street, Barnstaple
- Review of the Gambling policy during the summer
- Further consultation due to take place on Taxis later in the year
- Review of a new Animal Policy due later in the year and undertake consultation
- Animal and zoo licensing was extremely busy, with inspections, complaints, enquiries and issuing licenses
- Primates – Defra would be shortly undertaking consultation on the responsibility for overseeing primates which may fall to the Local Authority
- Consultation on the Department for Transport Hackney Carriage standards had ended on 8 February 2021 and a report would be brought back to the Committee in two months time

- A pilot would commence on issuing decision notices following sub-committee hearings held regarding hackney carriage and private hire drivers detailing the reasons for the decision which would be signed off by the Chair of the sub-committee

In response to a question, the Solicitor advised that the displaying of boards on pavements could be a highways or a planning issue.

53. CRIME AND DISORDER SUB-COMMITTEE

RESOLVED that the minutes of the meeting of the Crime and Disorder Sub-Committee meeting held on 25 November 2020 (circulated previously) be adopted.

54. LICENSING AND COMMUNITY SAFETY SUB-COMMITTEES

(a) Licensing and Community Safety Sub-Committee D

RESOLVED that the minutes of the Licensing and Community Safety Sub-Committee D meeting held on 24 November 2020 (circulated previously) be approved as a correct record and signed by the Chair of the Sub-Committee.

(b) Licensing and Community Safety Sub-Committee C

RESOLVED that the minutes of the Licensing and Community Safety Sub-Committee C meeting held on 27 November 2020 (circulated previously) be approved as a correct record and signed by the Chair of the Sub-Committee.

Chair

The meeting ended at 11.34 am

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