

## **REGISTER OF URGENT DECISIONS TAKEN BY THE CHIEF EXECUTIVE**

NORTH DEVON COUNCIL CONSTITUTION – Part 3 Annexe 2: Officer Delegations  
– Chief Executive

- 1) SUBJECT: Temporary Closure of Cattle Market Toilets, Barnstaple
- 2) REQUESTED DECISION: To temporarily close the toilets until 7<sup>th</sup> February 2023 in order to prevent further criminal activity at this location
- 3) STATEMENT OF THE REASONS FOR THE REQUEST AND WHY IT IS URGENT:

Incidents of drug taking and alleged dealing from the public toilets at Tuly Street (Cattle Market) have increased in recent months. Council staff are now clearing drug taking paraphernalia from the toilets on a daily basis. Officers have reported numerous issues including one officer having to resuscitate one person who had suffered an overdose. As a result, a decision was taken to close the facility prior to Christmas in order to prevent further health and safety issues. The closure was intended to last until 10<sup>th</sup> January.

That decision was reviewed and the conclusion was:-

1. There were now no issues in relation to the facility
2. No complaints about the closure had been received from businesses or the public,
3. No issues had been raised by the police or partners and
4. There were no reported incidents of the issue transferring elsewhere.

However, it was noted the cold weather emergency accommodation provision had been activated for part of the period of closure which meant that there were less people rough sleeping in Barnstaple. In case this has had an impact on the results of the review, a decision has been taken to extend the closure for a further period of one month until the 7<sup>th</sup> February and for a further review to be undertaken at that point.

- 4) FINANCIAL IMPLICATIONS: (NOTE: Please state if there are any financial implications. If so, state whether there are sufficient funds within the agreed budget. If there are insufficient funds please state how the decision will be financed).

None

5) ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

The facility could be re-opened but there would be a strong likelihood of the previous issue presenting again. The closure could be permanent but that is likely to raise concerns.

6) A RECORD OF ANY CONFLICT OF INTEREST DECLARED:

None

7) A NOTE OF ANY DISPENSATION IF GRANTED:

None

8) LIST OF BACKGROUND PAPERS (but not including published works or those which disclose exempt or confidential information (as defined in paragraph 10.4 and 10.5 of the Access to Information Procedural Rules Part 4 of the Constitution):

10) CONSULTATION UNDERTAKEN:

The following have been consulted on this urgent decision:

Consultee	Consulted Yes/No	Date
Leader of Council ( <i>or Deputy Leader</i> )	Y	9/1/23
Chair of Committee (with the Authority to take the decision) ( <i>or Vice-Chair</i> )		
Lead Member	Y	9/1/23
Ward Member(s)	N	
Head of Service (name) SarahJane Mckenzie-Shapland	Y	9/1/23
Finance	N	
Legal	N	

11) OFFICER REQUESTING URGENT DECISION TO BE TAKEN BY THE CHIEF EXECUTIVE:

Head of Place Property and Regeneration

12) APPROVED BY CHIEF EXECUTIVE: Y

13) DATE OF DECISION: 10/1/23

14) CHIEF EXECUTIVE'S COMMENTS:

I am supportive of extending the closure to enable a proper assessment of the impacts.

15) DATE TO BE PRESENTED TO STRATEGY AND RESOURCES COMMITTEE:

## GUIDANCE NOTES

### NOTE:

#### PROCEDURE FOR URGENT DECISIONS:

1. Completed form to be passed to the Chief Executive following consultation with the interested parties.
2. If a decision is specific to a Ward, efforts should be made to ascertain the views of the local Councillor (s).
3. The Chief Executive will make his decision.

#### PROCEDURE FOR URGENT DECISION MAKING AS PER THE CONSTITUTION

#### **Officer Delegations: the Chief Executive:**

#### **Urgent Decision Making**

3.48 To take a decision on any matter falling within the remit of any Committee in cases of urgency where it is not reasonably practicable to obtain prior approval of a Committee SUBJECT TO:

3.48.1 the prior consultation, where practicable, with the Leader or Deputy Leader and the Chair or Vice Chair of the relevant Committee, and

3.48.2 the proviso that this power will not extend to the determination of any application submitted pursuant to the Planning Acts or under the Licensing Act 2003 or the Gambling Act 2005, and

3.48.3 the decision being reported to the next meeting of the relevant Committee and the next meeting of Strategy and Resources Committee.