

Licensing Committee

Tuesday 29 April 2014

PRESENT:

Councillor Rennie, in the Chair.

Councillors K Foster, Jordan, Dr. Mahony, Mrs Nicholson, Parker, Singh and John Smith.

Apologies for absence: Councillors Mrs Bowyer, Drean, Gordon, Monahan, Morris and Kate Taylor.

Also in attendance: Ann Gillbanks, Senior Lawyer, Katey Johns, Democratic Support Officer, and David Hughes, Senior Environmental Health Officer (Licensing).

The meeting started at 10 am and finished at 10.55 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

32. DECLARATIONS OF INTEREST

The following declarations of interest were made by members in accordance with the code of conduct –

Name	Minute Number	Reason	Interest
Councillor Jordan	35	Director of Routeways, an organisation located within proposed DPPO	Personal
Councillor Dr Mahony	35	Lives within area of proposed DPPO	Personal
Councillor John Smith	35	Board member of Credit Union, an organisation with premises located within the proposed DPPO	Personal

33. MINUTES

Agreed the minutes of the Licensing Committee meeting held on 18 February and the Licensing Sub-Committee meetings held on 18 February and 24 March 2014.

34. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

35. **APPLICATION FOR THE DESIGNATED PUBLIC PLACES ORDER (DPPO) TO CONTROL STREET DRINKING IN MARLBOROUGH ST, DEVONPORT**

The Committee considered the report as submitted by the Strategic Director for People and presented by the Senior Environmental Health Officer (Licensing). Members were advised that –

- (a) an application to make a Designated Public Places Order (DPPO) had been submitted by the Devon and Cornwall Police to cover Marlborough Street and the surrounding area within Devonport;
- (b) the area indicated by the dotted line on the map at appendix 2 was proposed for inclusion within the DPPO;
- (c) the report sought approval to proceed to the public consultation stage after which a further report would be submitted to determine whether there was sufficient evidence to justify making the order.

In addition, the Committee –

- (d) noted that written representations of support for the DPPO had been received from ward councillors Coker and Kate Taylor, the latter of whom was in attendance at the meeting to offer verbal support;
- (e) heard from the Police who stated that there had been an on-going problem concerning anti-social behaviour and disorder associated with 'street drinking' focused on the pedestrian area of Marlborough Street. The main problems being related to drunkenness, aggressive/disorderly behaviour, urination and littering;
- (f) considered evidence submitted in order to substantiate the application.

In response to questions raised, Members heard that –

- (g) the report before Committee today would, if approved, commence a formal consultation process into whether or not a DPPO should be introduced in the area identified. A further report to Committee would be required to approve the actual introduction of a DPPO should that be the recommended outcome following the consultation;
- (h) the area within the dotted line had been included as there were a number of communal areas to which street drinkers could migrate once they had been moved on;
- (i) the DPPO applied to public places only and private areas were therefore excluded;
- (j) the consultation would include, but not be exclusive to, residents groups, community groups, businesses, partner agencies etc.;

- (k) a number of off-licenses in the area were selling single cans of particularly strong lager. These were being targeted by the Police and licensing officers who would try to encourage the licensee to cease sales of these products without having to call the premises in for a review of its licence;
- (l) the success of the DPPO would be dependent upon a multi-agency approach and assurances were given that this would be the case;
- (m) no evidence had been submitted to support inclusion within the DPPO of the playing fields adjoining City College in Kings Road.

Agreed that –

- (1) sufficient evidence had been submitted to demonstrate that nuisance, annoyance and disorder was caused to members of the public, or a section of the public, associated with the consumption of alcohol in the area outlined in Appendix 2 to the report, including that within the dotted line;
- (2) the Public Protection Service be authorised to facilitate the public consultation in the specified area, as prescribed by the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007 in order that Committee can consider the report on the results of the consultation and decide whether or not to approve the granting of the Designated Public Place Order.

(Councillors Jordan, Dr Mahony and John Smith declared personal interests in respect of the above item).

36. **EXEMPT BUSINESS**

Agreed that under Section 100(A)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

37. **MINUTES (E1)**

Agreed the private minutes of the Licensing Sub-Committee meeting held on 18 February 2014.