

LICENSING & PUBLIC PROTECTION COMMITTEE

Tuesday, 22nd January, 2019
Time of Commencement: 7.00 pm

Present:- Councillor Mark Olszewski – in the Chair

Councillors Miss J Cooper, J. Cooper, S. Dymond, T. Johnson, K. Robinson, S. Sweeney, J Tagg, J. Walklate, J Waring, G Williams, J Williams and R. Wright

Officers Nesta Barker - Head of Environmental Health Services, Geoff Durham - Mayor's Secretary / Member Support Officer, Anne-Marie Pollard - Solicitor and Trevor Smith - Partnership Intervention Officer

Apologies Councillor(s) A. Parker and S White

1. APOLOGIES

Apologies were received from Councillors Parker and White.

2. DECLARATIONS OF INTEREST IN RELATION TO LICENSING MATTERS

There were no declarations of interest stated.

3. MINUTES OF PREVIOUS MEETING

Resolved: That the Minutes of the meeting held on 11 December, 2018 be agreed as a correct record.

4. DECLARATIONS OF INTEREST IN RELATION TO PUBLIC PROTECTION MATTERS

There were no declarations of interest stated.

5. PUBLIC SPACES PROTECTION ORDERS

Consideration was given to a report seeking Members' support for a full public consultation on matters affecting Newcastle Town Centre and the Queen Elizabeth Park and to support the publication of two draft Public Spaces Protection Orders (PSPO's) on these areas for consultation, comments and feedback from the public.

The existing PSPO for the Town Centre had been in force for three years and included a list of conditions which needed reviewing. In addition, there were some issues which now needed to be developed further to include both the Town Centre and the Queen Elizabeth Park.

The consultation would last for a period of eight weeks and the information would then be brought back to this Committee before the two Orders were made.

Councillor Gill Williams agreed that the Orders were needed in these areas but stated that when people were moved on – they tended to go to Cross Heath Park

and congregate there instead. The Council's Partnership Intervention Officer, Trevor Smith suggested that, if this was an ongoing problem, it could be looked into and possibly place a PSPO on there too, if there was proof of the need for one.

Councillor Robinson enquired if checks were done to ensure that the Council had the resources to enforce them.

Mr Smith stated that PSPO's were part of a wider campaign to deal with Anti-Social Behaviour. The Orders also gave the Police the power to issue Dispersal Orders.

Councillor John Williams stated that the Police did an exercise a few months ago, with partners looking into the issue of rough sleepers. Following the exercise it worked for a short time but they came back.

Members also raised concerns about the amount of litter left behind by beggars and were advised that anything that was left behind was removed by the Council's Street Scene team.

Councillor Sweeney asked how many 'genuine' rough-sleepers there were in Newcastle and was advised that there were four across the Borough. Any rough-sleepers that were identified would be visited by a team from 6am.

Figures from Brighter Futures identified that there were 25 rough-sleepers across Stoke and Newcastle last week.

The definition of a 'rough-sleeper' was requested and basically it is someone who chooses to sleep rough. A survey was taken by Stoke City Council and 90% of those asked did have accommodation.

- Resolved:**
- (i) That the content of the report be noted together with comments raised at the meeting.
 - (ii) That the undertaking of a full public PSPO consultation on Newcastle Town Centre and Queen Elizabeth Park be supported and the publication of the two draft Orders (see Appendix 1 & 2) for public comment and feedback be allowed.

6. FEES TO BE CHARGED FOR THE LICENSING OF PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING 2019-20

Consideration was given to a report for members to consider the fees to be charged in relation to the licensing of Private Hire and Hackney Carriage Licensing for 2019/20.

This followed the previous report which was presented to this Committee on 23 October, 2018 and it had been agreed to put the details out for consultation. No comments or representations had been received. Therefore there were no changes to the previous report.

- Resolved:** That the fees to be charged for the licensing of Private Hire and Hackney Carriage Licensing for 2019/20, be agreed.

7. REVIEW OF ENVIRONMENTAL FIXED PENALTIES

Consideration was given to a report looking at the current/planned fixed penalty values.

Councillor Robinson was in support of increasing the charges as it sent out the right message. However, more work needed to be done in areas outside of the town centre.

The Council's Head of Environmental Health Services, Nesta Barker advised the Committee that other areas were visited and areas were widening all the time.

Members discussed incidents including littering and fly posting.

Resolved: That the proposed penalty values be confirmed and that the groups of staff who will be authorised to issue penalties be approved.

8. PUBLIC PROTECTION SUB-COMMITTEE ARRANGEMENTS

Consideration was given to a report seeking Members' approval for the arrangements of the Public Protection Sub-Committee.

The arrangements had been updated following comments from Members in respect of availability. The meetings would still be held on Wednesday's at 2pm or 6pm but they had been brought forward a week to avoid clashes with other Committees.

The Chair requested that, to ensure that there was a backstop, Members be notified / reminded a week before the meeting took place.

Mrs Barker confirmed that emails were being sent out by the Licensing team in addition to an email being sent upon publication of the agenda. If no response was received from Members, a follow up / phone call would be made.

Resolved:

- (i) That the report be received and that the date and time for Members' proposed attendance at their relevant meetings be noted.
- (ii) That, should members be unable to attend their allotted meeting, that they notify Democratic Services of an available substitute.

9. AIR QUALITY ACTION PLAN 2019-2024

Consideration was given to a report informing Members of responses and feedback received from members of the public and other bodies regarding the contents of the draft Air Quality Action Plan (AQAP) and to formally adopt the document.

In 2015, the Council's Public Protection Committee declared four areas in the Borough as air quality management areas (AQMA's), due to exceedancies of nitrogen dioxide.

The draft AQAP had been agreed for public consultation and twenty four responses had been received. Details of the responses were outlined in Section 2 and Appendix B of the report.

Members' attention was drawn to Section 4 of the report which outlined proposed amendments to the Plan.

The Chair asked how often updates would come to this Committee and was advised that all updates would be incorporated into the annual status report which is brought to Committee.

Members raised concerns about other smells, for example from tips and were advised that those odours were covered by a different regulatory regime – carried out by the Environment Agency.

- Resolved:**
- (i) That the alterations and updates to the AQAP 2019-2024 be approved.
 - (ii) That the AQAP 2019-2024 be formally adopted.
 - (iii) That the adopted AQAP be submitted to DEFRA and incorporate any recommendations into a revised Plan.
 - (iv) That this Committee receive future reports on progress on measures and proposed updates.

10. DISCLOSURE OF EXEMPT INFORMATION

Resolved:- That the public be excluded from the meeting during consideration if the following matter because it is likely that there will be disclosure of exempt information as defined in paragraphs 1,2 and 7 contained within Part 1 of Schedule 12A of the Local Government Act, 1972

11. MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETINGS

Resolved: That the minutes of the meetings held on 11 and 18 December, 2018 and 9 January, 2019 be agreed as correct records.

12. URGENT BUSINESS

There was no urgent business.

COUNCILLOR MARK OLSZEWSKI
Chair

Meeting concluded at 8.10 pm