

Public Document Pack

Date of meeting Tuesday, 30th April, 2019
Time 7.00 pm
Venue Astley Room - Castle House
Contact Geoff Durham 742222



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

Castle House
Barracks Road
Newcastle-under-Lyme
Staffordshire
ST5 1BL

Licensing & Public Protection Committee

AGENDA

PART 1 – OPEN AGENDA

1 PART 1 - LICENSING

2 APOLOGIES

**3 DECLARATIONS OF INTEREST IN RELATION TO LICENSING
MATTERS**

To receive declarations of interest from Members on items contained within the agenda

4 MINUTES OF PREVIOUS MEETING (Pages 3 - 6)

5 CUMULATIVE IMPACT POLICY (Pages 7 - 12)

Appendix B to follow

6 FIVE MINUTES BREAK

7 PART 2 - PUBLIC PROTECTION (OPEN)

**8 DECLARATIONS OF INTEREST IN RELATION TO PUBLIC
PROTECTION MATTERS**

To receive declarations of interest from Members on items contained within the agenda

9 FOOD SAFETY SERVICE PLAN 2019/20 (Pages 13 - 32)

**10 PUBLIC SPACE PROTECTION ORDER PUBLIC
CONSULTATION UPDATE (Pages 33 - 80)**

11 PART 3 - PUBLIC PROTECTION (CLOSED)

12 DISCLOSURE OF EXEMPT INFORMATION

To resolve that the public be excluded from the meeting during consideration of the attached report, because it is likely that there will be disclosure of exempt information as defined in paragraphs 1, 2 and 7 in Part 1 of Schedule 12A of the Local Government Act 1972.

13 MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETINGS (Pages 81 - 86)

To consider the minutes of the Public Protection Sub-Committees which have met since the previous Licensing and Public Protection Committee.

14 URGENT BUSINESS

To consider any business which is urgent within the meaning of Section 100B (4) of the Local Government Act 1972

Members: Councillors J. Cooper, S. Dymond, T. Johnson, T. Kearon, M. Olszewski (Chair), A. Parker, K. Robinson, S. Sweeney, J Tagg, J. Walklate, J Waring, S White (Vice-Chair), G Williams, J Williams and R. Wright

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

NOTE: THERE ARE NO FIRE DRILLS PLANNED FOR THIS EVENING SO IF THE FIRE ALARM DOES SOUND, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

ON EXITING THE BUILDING, PLEASE ASSEMBLE AT THE FRONT OF THE BUILDING BY THE STATUE OF QUEEN VICTORIA. DO NOT RE-ENTER THE BUILDING UNTIL ADVISED TO DO SO.

Public Document Pack **Agenda Item 4**

Licensing & Public Protection Committee - 19/03/19

LICENSING & PUBLIC PROTECTION COMMITTEE

Tuesday, 19th March, 2019
Time of Commencement: 7.00 pm

Present:- Councillor Mark Olszewski – in the Chair

Councillors Miss J Cooper, B. Panter, K. Robinson, S. Sweeney, J Tagg, J. Walklate, J Waring, G Williams, J Williams and R. Wright

Officers Matthew Burton - Licensing Administration Team Manager,
Geoff Durham - Mayor's Secretary / Member Support Officer and
Anne-Marie Pollard - Solicitor

1. **APOLOGIES**

Apologies were received from Councillors: John Cooper; Dymond; Kearon; Parker and Simon White.

Councillors Julie Cooper and Panter were present as substitutes.

2. **DECLARATIONS OF INTEREST IN RELATION TO LICENSING MATTERS**

There were no declarations of interest in respect of Licensing matters.

3. **MINUTES OF PREVIOUS MEETING**

Resolved: That the Minutes of the meeting held on 22 January, 2019 be agreed as a correct record.

4. **LICENSING SUB COMMITTEE MINUTES**

Resolved: That the Minutes of the meeting held on 22 November, 2018 be received.

5. **DECLARATIONS OF INTEREST IN RELATION TO PUBLIC PROTECTION MATTERS**

There were no declarations of interest in respect of Public Protection matters.

6. **DEPARTMENT FOR TRANSPORT STATUTORY GUIDANCE FOR LOCAL AUTHORITIES AND CENTRAL GOVERNMENT COMMENTS ON REFORMING TAXI LICENSING LEGISLATION**

Consideration was given to a report informing Members of the report and recommendations made by the Task and Finish Group on Taxi and Private Hire Vehicle Licensing; the Government's response and recommendation and The Department for Transport's proposed statutory guidance for Licensing Authorities.

The Council's Licensing Administration Team Manager, Matt Burton advised Members that this was an information item providing an update of the current position.

Members' attention was drawn to Appendix A of the report which outlined the 34 recommendations of the Task and Finish Group

Members attention was also drawn to the other documents, outlined in paragraphs 2.3 and 2.5 to 2.7 of the report.

Councillor Robinson stated that, what the Government was consulting on was quite welcome and that the laws did need improving, It was good that 'out of area' working and safeguarding issues were being tackled. Councillor Robinson referred to the English test and asked how this would be monitored.

Mr Burton advised that the Guidance Document was still in draft form at the moment. It would be up to each individual Authority as to what standard of English was necessary.

With regard to out of area working, the Government are looking to legislate to stop people being licensed in a Council area where they have no intention to work.

Councillor Cooper stated that the documents made reference to having a understanding of the Highway Code. Members were advised that this was a pre-requisite of the DVLA driving test. However, Newcastle are hoping to introduce a new Knowledge Test which would include elements of the Code.

Councillor Sweeney advised Members that some taxi drivers (Hackney) were negotiating prices with customers rather than having their meter running and asked what the law was on this.

Mr Burton stated that it depended upon the final destination in that, if the taxi is hailed in the Borough and staying in the Borough, the meter should be running. If they give a price, that is what they must charge, even if the amount is exceeded. However, if the amount is less, that is the fare that should be charged. To ensure this is correct, the meter must be running .

Councillor Panter enquired about the requirements for wheelchair accessible vehicles.

Mr Burton confirmed that any new Hackney Carriages had to be wheelchair accessible but there were no specifications to cover electric/manual wheelchairs.

Councillor Gill Williams asked what the recommended hours were for a taxi driver. This was governed under other legislation, with no set hours but the Government were looking to legislate this.

Councillor Waring enquired what standard of CCTV would be in the vehicles, how the information would be stored and if it would be part of the taxi test?

Mr Burton stated that drivers did not have to have it but it would be of benefit to them. It would be included in our new Policy and any drivers who did have it would be asked to produce it if asked.

Resolved: That the contents of the documents be noted.

7. 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

8. MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETINGS

Resolved: That the Minutes of the meetings held on 23 January, 13 February and 6 March, 2019 be received.

9. APPEAL OUTCOMES

Resolved: That the three appeal outcomes be received.

10. URGENT BUSINESS

The Chair updated the Committee on issues that had occurred earlier today.

At the end of 2018 this Committee approved a draft Licensing Policy which went out to consultation. Various meeting had been held with Council Officers and 'the trade'.

The formal consultation ended last week and the feeling amongst 'the trade' was that they had not been listened to and that the consultation period had not been long enough despite it being extended twice (to five months). Members were advised that, with the two extensions the consultation period went beyond the best practice minimum. The results of the consultation were not yet known.

The Drivers were under the impression that a decision was being made this evening, at this meeting and therefore called industrial action over the weekend and also a 'go slow' on the roads in the town centre between 4 and 5pm disrupting the traffic.

Councillor Sweeney advised that late on Friday night he received a phone call from the Police telling him that the taxi drivers were on strike.

Representatives of the taxi trade felt that they should be involved in developing the Policy.

The reports for the next meeting of this Committee, on 30 April would be produced early so that the taxi trade can look at them. A decision would be made by the Committee and not by officers of the Council.

Members were advised that drivers were also unhappy with the policy on ages of cars. The draft Policy had been amended so that new vehicles could not be more than 4 years old and would be taken off at 8 years.

Members were also informed that the County Council have put proposals forward to close Hassall Street as a taxi rank and to extend the High Street.

COUNCILLOR MARK OLSZEWSKI
Chair

Meeting concluded at 8.10 pm

<u>REPORT TITLE</u>	Cumulative Impact Policy
<u>Submitted by:</u>	Head of Environmental Health Services
<u>Portfolio:</u>	Finance & Resources
<u>Ward(s) affected:</u>	Town Ward

Purpose of the Report

For Members to consider whether the Cumulative Impact Policy (also known as Special Saturation Policy) - agreed at the Committee's meeting held on 27th June 2018 is still required, with a view to transitioning to a Cumulative Impact Assessment following consultation later in the year.

Staffordshire Police will be in attendance at the meeting to provide advice and guidance for the Committee, as well as relevant evidence.

Recommendations

The Committee must decide whether:

- a) **The current Policy is still required, pending transition to a Cumulative Impact Assessment**
- b) **The current Policy is still adequate, pending transition to a Cumulative Impact Assessment**

Reasons

The guidance issued under section 182 of the Licensing Act 2003 states that there should be an evidential basis for the decision to include a Cumulative Impact Policy within the Statement of Licensing Policy.

The guidance also states that once adopted, special policies should be reviewed regularly to assess whether they are still needed or whether they should be amended.

At the meeting of 27th June 2018 Members determined to transition from the current Cumulative Impact Policy (CIP), which was created under the guidance, to a Cumulative Impact Assessment (CIA) which will be created under the Licensing Act 2003.

1. Background

- 1.1 On 3rd July 2013 the Licensing Committee resolved that the special saturation policy originally agreed be retained and reviewed on an annual basis.
- 1.2 There are currently a number of licensed premises concentrated together in one area that together have a detrimental impact on levels of crime and disorder and public nuisance and in particular violent crime in the town centre. This being the case, the Council has previously satisfied itself that it is appropriate and necessary to include in its Licensing Policy a Cumulative Impact Policy (CIP).
- 1.3 The Policy allows the Council to refuse new licences whenever it receives relevant representations about the cumulative impact on the licensing objectives which can be

substantiated by evidence. Where such representations are received, applications for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused unless it can be demonstrated that the operation of the premises involved will not add to the cumulative impact already being experienced.

- 1.4 Where representations are supported by evidence, applicants will need to clearly demonstrate in their operating schedule, measures to address the identified problem of drink-related violence in the town centre and in particular will need to demonstrate measures to prevent binge drinking on the premises. Where no relevant representations are received in this connection, the application will be granted.
- 1.5 Previous section 182 Guidance stated that “once adopted special policies should be reviewed regularly to assess whether they are needed any longer or if those which are contained in the special policy should be amended.”
- 1.6 The guidance provided that the steps to be followed in considering whether to adopt a special policy within the statement of licensing policy are:
 - (1) To identify concern about crime and disorder; public safety; publicly nuisance; or the protection of children from harm.
 - (2) To consider whether there is good evidence that crime and disorder or public nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm.
 - (3) If such problems are occurring, identify whether these problems are being caused by the customers of the licensed premises, or that the risk of cumulative impact is imminent.
 - (4) To identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise).
 - (5) To consult with those specified in section 5(3) of the 2003 Act and, subject to the outcome of the consultation, include and publish details of the special policy in the licensing policy document.
- 1.7 Until recently Cumulative impact was not mentioned specifically in the 2003 Act but in the Section 182 Guidance to the Act it was taken to mean the potential impact on the promotion of the licensing objectives of a significant number of licenced premises concentrated in one area. The amended guidance defines Cumulative Impact as:

“the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area”

2. **Issues**

- 2.1 At the meeting of 27th June 2018 Members determined to transition from the current Cumulative Impact Policy (CIP), which was created under the guidance, to a Cumulative Impact Assessment (CIA) which will be created under new provisions contained within the Licensing Act 2003. A new CIA requires formal consultation and as it is unlikely to begin until July 2019. Members are being asked whether they feel it is appropriate to extend the current CIP to provide continuity to applicant’s, members of the public and Responsible Authorities in the intervening period.
- 2.2 Representatives from Staffordshire Police will be in attendance at the meeting to present evidence regarding the Special Saturation Policy.

3. **Options**

3.1 The Committee can:-

1. Decide to retain the area as it currently stands until the result of the Cumulative Impact Assessment consultation and implementation;
2. Decide to consider expansion or reduction of the area covered by the current policy until the result of the Cumulative Impact Assessment consultation and implementation (however this would be subject to its own consultation);
3. Decide to remove the Cumulative Impact Policy until the result of the Cumulative Impact Assessment consultation and implementation;

4. **Proposal**

4.1 That Members determine which of the options listed at section 3.1 above they consider to be most appropriate.

5. **Reasons for Preferred Solution**

5.1 The preferred option is option 1. This would provide continuity in the intervening period between when the CIP would normally be reviewed annually, and the consultation and implementation if the CIA which was agreed to occur in 2019.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

6.1 *The Council's corporate priorities are:*

- Local Services that work for Local People
- Growing our people and places
- A healthy, active and safe borough
- A town centre for all

7. **Legal and Statutory Implications**

7.1 'Cumulative Impact' is now specifically mentioned in the 2003 Licensing Act but has been detailed at Section 14 of the guidance issued under section 182 of the Act for some time.

8. **Equality Impact Assessment**

8.1 Not applicable

9. **Financial and Resource Implications**

9.1 There are no financial implications for the Council relating to the retention or not of a Cumulative Impact Policy.

10. **Major Risks**

10.1 Not designating a Cumulative Impact Policy within the Council's Licensing Policy could lead to:

- An increase in serious problems of nuisance and disorder outside licensed premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or

when queuing at fast food outlets or for public transport. Queuing in itself may lead to conflict, disorder and anti-social behaviour.

- Large concentrations of people may also increase the incidence of other criminal activities. These conditions are more likely to take place in town centres.

11. **Sustainability and Climate Change Implications**

11.1 Not applicable

12. **Key Decision Information**

12.1 Not applicable

13. **Earlier Cabinet/Committee Resolutions**

13.1 Decision of the Licensing Committee on 27th June 2018

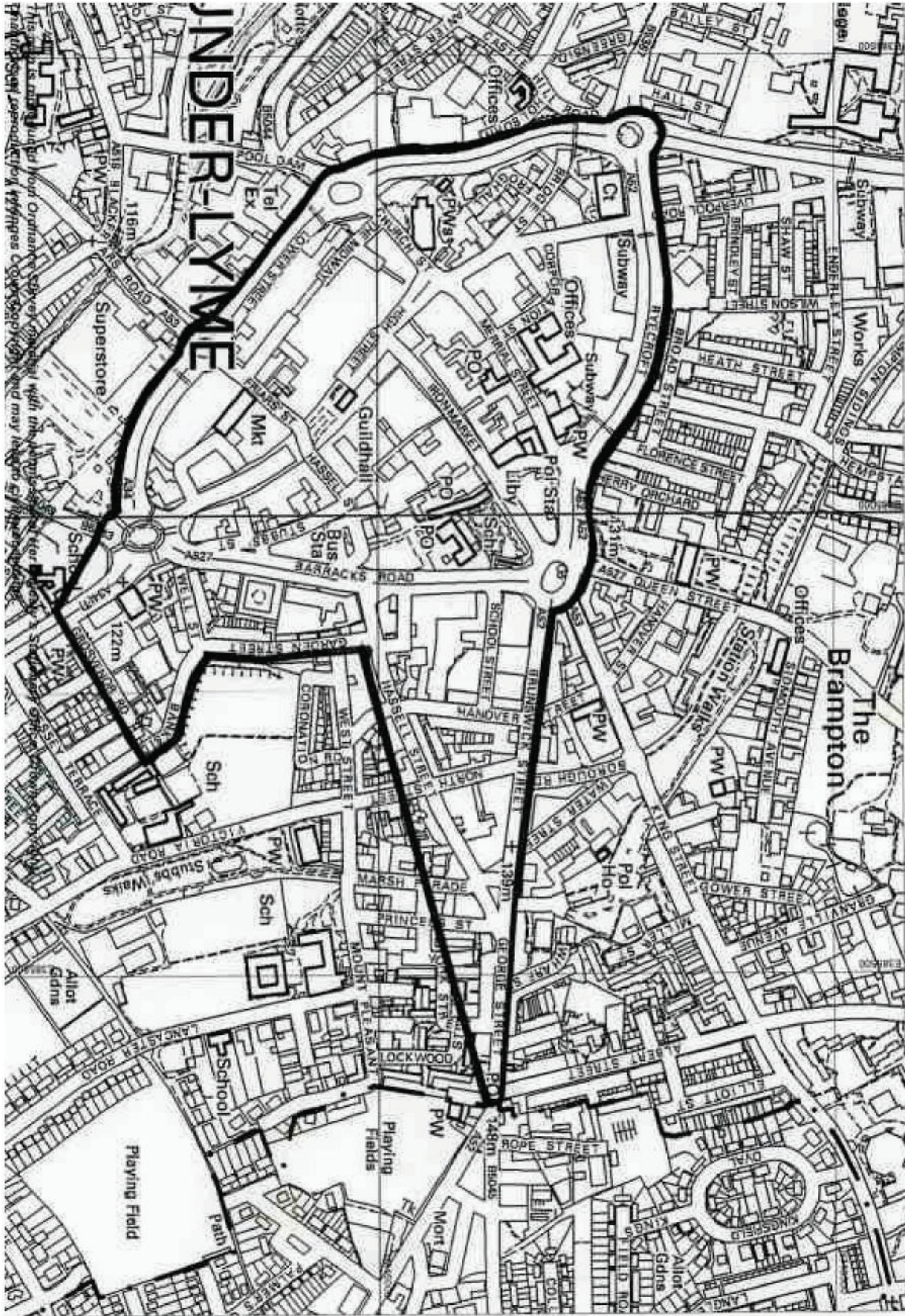
14. **List of Appendices**

14.1 Plan showing current cumulative impact zone (Appendix A)

14.2 Presentation by Staffordshire Police – Newcastle Cumulative Impact Zone Review

15. **Background Papers**

15.1 As per the Appendices



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REPORT TITLE **Food Safety Service Plan 2019/20**

Submitted by: **Head of Environmental Health Services**

Portfolio: **Environment & Recycling**

Ward(s) affected: **All**

Purpose of the Report

An information report to make the committee aware of the work planned by the Food and Safety Team in 2019/20 along with a review of last year's performance.

Recommendations

That the committee receive and endorse the Food Safety Service Plan for 2019/20.

Reasons

To make the Public Protection committee aware of the work carried out by the Food and Safety Team, in accordance with the Food Standards Agency framework agreement and statutory Code of Practice on official food controls by local authorities.

1. Background

1.1 The Borough Council has a statutory duty to provide a Food Safety service that:

- Maintains a register of all food businesses operating within the Borough;
- Implements a risk based programme of inspections and interventions;
- Provides advice to local businesses about how they can comply with legal requirements;
- Investigates complaints about contaminated food, unhygienic premises and food poisoning outbreaks; and
- In the most serious cases takes enforcement action to protect public health.

2. Issues

2.1 The Food Standards Agency requires local authorities to produce a specific service plan for their Food Safety service using a specified format that can be reported to its' elected members.

2.2 Attached to this report in Appendix A is a Food Safety Service Plan for 2019/20 which outlines the work planned for the coming year as well as a review of last year's performance.

3. Options Considered

3.1 No other options are considered, the provision of this plan is a requirement of the Food Standards Agency under their framework agreement with local authorities.

4. Proposal

4.1 It is proposed that the committee note and endorse the content of the Service Plan.

5. Reasons for Preferred Solution

5.1 The Service Plan is for the information of the Public Protection Committee.

6. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities

6.1 A healthy, active and safe Borough.

- The community is not put at risk from poor hygiene standards in food premises.

7. Legal and Statutory Implications

7.1 The Council have a statutory duty to provide a Food Safety service and comply with the requirements of the Food Standards Agency.

8. Equality Impact Assessment

8.1 Not applicable

9. Financial and Resource Implications

9.1 None, the Service Plan will be implemented within existing budgets.

10. Major Risks

10.1 Not designating a Food Safety Plan could lead to:

- An increase in food safety risk from businesses operating within the Borough.
- Non-compliance with Food Standards Agency requirement for local Authority delivery of official controls.

11. Sustainability and Climate Change Implications

11.1 Not applicable

12. Key Decision Information

12.1 Not applicable

13. Earlier Cabinet/Committee Resolutions

13.1 Decision of the Public Protection Committee on 27th June 2018

14. **List of Appendices**

14.1 Food Safety Plan 2019/20 (Appendix A)

15. **Background Papers**

15.1 As per the Appendices

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FOOD SAFETY

SERVICE PLAN 2019/20

This document has been developed in accordance with guidance issued by the Food Standards Agency.

Introduction

The Council has a statutory duty to carry out Official Food Controls and enforce food hygiene regulations within the Borough. This ensures that all food sold within the Borough is safe and fit for human consumption.

This plan details the way in which Newcastle's Food and Health and Safety Team performed in 20018/19, and how the service was delivered.

Whilst highlighting achievements the plan also sets the standard for how the service will be delivered over the next financial year. The service will strive to continue providing a quality, customer focussed service in line with the Corporate priorities.

Nesta Barker
Head of Environmental Health Services

April 2019

Section 1 - Service Aims and Objectives

1.1 Service Aim

The Council recognises that its food safety regulatory function plays an important role in maintaining and improving public health within the district. It is committed to ensuring that all food sold within the borough is safe and without risk to health. The service also plays an important role by supporting compliant food businesses and taking action against those businesses that are gaining an economic advantage by not complying with the food hygiene regulations.

Service Objectives

Food Safety Enforcement

The Food & Safety Team has enforcement responsibilities in a wide number of areas affecting the public and businesses within the Borough. These include:

- Ensuring that food and drink intended for sale for human consumption is produced, manufactured, stored, distributed, and handled safely and in hygienic conditions.
- Ensuring that residents are provided with a supply of wholesome and potable water
- Investigating complaints about food and food premises.
- Responding to notifications of food alerts.
- Control and prevention of spread of infectious disease and food poisoning.

1.2 Links to corporate objectives and plans

The Borough's Council Plan 2018-2022 sets out the overall vision and priorities for the Council. These are then incorporated into specific service and financial plans.

Within this plan the Councils' four priorities are:-

- ◆ **Local Services that work for Local People**
- ◆ **Growing our People and Places**
- ◆ **A Healthy, Active and Safe Borough**
- ◆ **A Town Centre for All**

The work of the Food and Safety team can be linked to all of these priorities; however, it is perhaps more closely associated with

- ◆ **Local Services that work for Local People**
- ◆ **A healthy, Active and Safe Borough**

The team report on the following key performance indicators each quarter to the Council's Cabinet:

Outcome 1.1 Ensure high standards of safety and public health

1.1 Percentage of food premises that have a zero or one national food hygiene rating.

1.2 The percentage of food establishments which are broadly compliant with food hygiene law

Other priorities for inspection of food premises and workplaces are prescribed in guidance issued by the Food Standards Agency.

2 - Background

2.1 Profile of Newcastle – under – Lyme Borough Council

Newcastle-under-Lyme borough council is a local government district with borough status in Staffordshire, England. It is named after its main settlement, Newcastle-under-Lyme, where the council is based, but includes the town of Kidsgrove, the villages of Silverdale and Keele, and the rural area surrounding Audley. The Borough of Newcastle-under-Lyme forms part of the conurbation of North Staffordshire and covers some 81 square miles with a population of around 129,000.

The traditional industrial base of mining and pottery manufacture has changed significantly over the last century. The closure of local mines, and factories has seen the growth of hi tech and research industries within the area. The Borough has areas of considerable affluence, but also includes two wards that fall into the 10% most deprived in the country

Newcastle is an ancient market town and still maintains a vibrant market culture. Stallholders set up on a part of the town locally known as The ‘Stones’ and this area is used on an almost daily basis for events ranging from the regular market to specialist events such as Farmers and European markets and antique fairs. Due to the Boroughs central geographical location and the proximity to the M6 motorway, recent years have seen a significant increase in the numbers of distribution depots in the area. A large bakery supplying retailers nationally is based here, as is a large meat products manufacturer. The Borough also has the prestigious Keele University, medical school and conference facilities located within its’ boundaries.

2.2 Organisational Structure

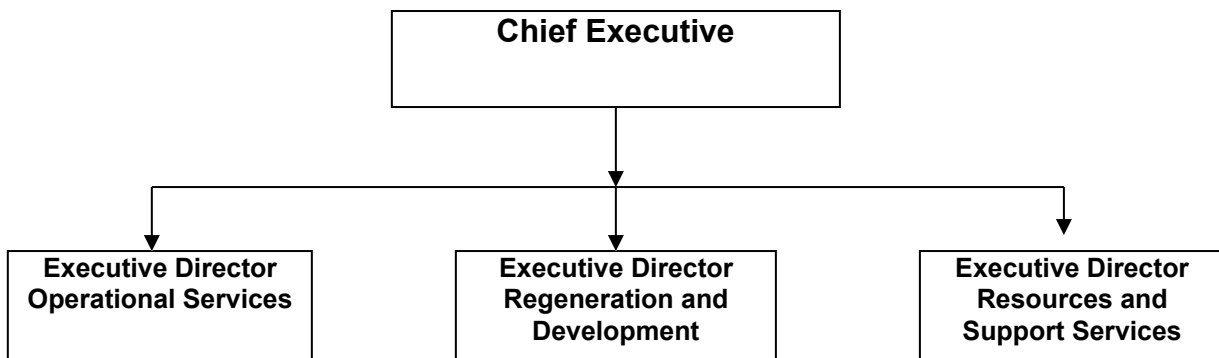
The Council is made up of 44 locally elected representatives, otherwise known as councillors or elected members.

The Council has a Leader who is elected by the members of the Council and is nominated by the largest group on the Council. The Council also has a Mayor, who presides over the Council meeting. The Mayor is a councillor who is appointed by all councillors to serve for one year as Chairman of the Council. The Council operates a Cabinet System consisting of a Leader and a small Cabinet. Members of the Cabinet oversee the ‘portfolios’ or groups of services.

There are a number of other Council committees who have important roles to play in a variety of areas including Planning, Licensing, Scrutiny, Standards and Public Protection. Please refer to the Council’s website for further details at: <https://www.newcastle-staffs.gov.uk/>

Executive Management

The Council’s senior officer management structure comprises of the Executive Management Team:



Classification: NULBC **UNCLASSIFIED**

The Food and Safety Team are in the Environmental Health Service area, within the Regeneration and Development Directorate.

Food and Safety Team

The Food and Safety team operate within the Environmental Health Service together with the Environmental Protection, Environmental Services and Licensing Administration teams.

The Food and Safety Service structure consists of:

The Head of Environmental Health Services (Reporting to the Executive Director Regeneration and Development)

Environmental Health Team Manager – Food and Safety

2 Environmental Health Officers

2 Technical Assistant

1 Food and Safety Assistant

1 Licensing Enforcement Officer

The use of outside contractors will only be considered in the future if the following criteria are met:

- A backlog of inspections which cannot be completed by Officers;
- Agency contractors meeting the requirements of the Food Safety Act Code of Practice Qualifications and Experience of Authorised Officers; and
- The cost of the work being met within existing budgets.

Expert assistance is provided by the following outside organisations: -

- Food Examiner and Microbiology Department, Public Health England, London
- Consultant in Communicable Disease Control, Public Health England,

Classification: NULBC **UNCLASSIFIED**

2.3 Scope of the Food and Safety Service

The food and safety team are responsible for enforcing food hygiene law within the borough. Issues relating to food standards and feed are dealt with by our colleagues in Staffordshire County Council's Trading Standards Department.

The Food and Safety team is responsible for the delivery of a number of regulatory services including:

- Food Safety and Hygiene
- Occupational health and safety (in premises where enforcement responsibility is allocated to the Local Authority)
- Prevention and control of infectious diseases
- Public health licensing – tattooing, piercing etc.
- Health promotion
- Licensing Enforcement (Premises only)

The service is provided in order to ensure that the Council meets its' legal obligations specified in primary legislation. The team uses a range of interventions to deliver the service which can be divided into three main areas:

- **Inspection/Audit:** Inspection of food businesses at a minimum frequency laid out in the Food Law Code of Practice.
- **Demand:** Investigation of complaints regarding food and food premises, accidents and notifications of food poisoning.
- **Safer Food Direct:** Business support and advice to local businesses and consumers.

The following functions are provided by the service:

- Maintenance of a food premises registration database for all food businesses located within the borough;
- Provision of advice to local businesses to assist them in complying with their legal responsibilities and to promote good practice.
- Inspections and audits of food businesses to ensure they comply with food safety legislation.
- Approval of food manufacturers handling products of animal origin.
- Sampling and analysis of food and water to check their compliance with safety requirements.
- Investigation of complaints about illegal/unfit food and unlawful food businesses;
- Investigation of food poisoning outbreaks;
- Investigation of national Food Alerts (issued by the Food Standards Agency).
- Health and safety inspections where we are the enforcing authority.
- Investigation of complaints about occupational health and safety.
- Investigation of accidents, dangerous occurrences, and occupational diseases.
- Inspection of establishments carrying out tattooing, ear piercing and electrolysis and other beauty services.
- In the most serious cases, formal enforcement action is taken to protect public health including the seizure of food, service of notices, closure of premises and prosecution of offenders.
- Consultation with external agencies and internal services i.e. licensing, trading standards, planning;
- Enforcement of Smoke-Free legislation
- Enforcement of Alcohol Licensing legislation

Service Delivery Points

The team are based with their Environmental Health colleagues at the Central Depot, Knutton Lane, Newcastle-under-Lyme and the service operates between **9.00 a.m. - 5.00 p.m. Monday – Friday.**

Newcastle Borough has two dedicated Customer Service Centres, located in Castle House, Newcastle Monday - Friday 9am to 4:30pm and the Town Hall, Kidsgrove is open Monday - Friday 9am to 5pm with lunch between 1pm till 2pm.

The out of hours Emergency Call Centre service has been outsourced and is operated by Redditch and Bromsgrove Council. The Environmental Health Service operates an emergency stand-by rota so there is always a manager available to respond to the contact centre in the event of any emergencies or incidents.

2.4 Demands on the Food Service

In 2018/19 there were 1119 registered food businesses in the Borough. These businesses were given a risk rating band between category A and E as shown in the table below. NB Please note the Food Standards Agency code of practice was revised in 2014 which resulted in changes to the category C & D bandings.

Food Premises Risk Band	2018/19	2017/18	2016/17	2015/16	2014/15
A	1	0	0	1	0
B	37	39	41	53	47
C	169	199	222	214	229
D	365	331	336	347	343
E	527	492	445	445	421
UNRATED	19	34	33	19	39
OUTSIDE	1	1	2	2	3
TOTAL REGISTERED	1119	1096	1081	1081	1092

The risk rating awarded is generated by the inspecting officer who scores the business based on the types and quantities of food produced and their compliance with food hygiene requirements. Businesses awaiting inspection are classified as Unrated and those registered with other council's and trading in our area are deemed Outside the inspection programme.

The risk band awarded also determines how often the food business will be inspected as detailed in the table below:

Risk band	Minimum intervention frequency
A	At least every 6 months
B	At least every 12 months
C	At least every 18 months
D	At least every 24 months
E	A programme of alternative enforcement strategies or interventions every three years

Classification: NULBC **UNCLASSIFIED**

Businesses can be rated as a category A or B if they carry out a high risk activity such as food manufacturing, or if they are found to have poor compliance such as a premises awarded a zero or 1 Food Hygiene Rating.

A number of specialist and complex food manufacturers are located within the district including

- **2 Meat Product manufacturers**

Officers responsible for inspecting/auditing these premises have received specialist training in the relevant fields.

2.5 Enforcement Policy

The Council has approved an Enforcement Policy and carries out its' regulatory functions in accordance with the Regulators Compliance Code. The importance of achieving a fair and consistent approach to enforcement is recognised by the council. The Enforcement Policy is followed for all enforcement action undertaken by the food service and is available on the council's website: [Corporate Enforcement Policy | Newcastle-Under-Lyme Borough Council](#)

3. Service Delivery

3.1 Interventions at Food Establishments

An annual risk-prioritised programme of inspections will be undertaken in accordance with the Food Safety Act 1990 Code of Practice. The Service will use the full range of interventions and enforcement options available to ensure that the highest standards of food hygiene and safety are achieved and maintained.

In 2019/20 there are 522 food premises due for a Food Hygiene Inspection, and these are broken down by Risk Band in the table below:

Food premises risk band	Total due in 2019-20	Total in 2017-18
A – Highest ‘risk’	1	0
B	28	37
C	105	136
D	165	148
E – Lowest ‘risk’	182	180
OUTSIDE	1	1
UNRATED	40	39
Grand Total	522	541

In 2019/20 the Service aims to achieve:

100% of High Risk food premises (categories A – B) using full inspections/audits.

100% of category C premises using full inspections/audits.

100% of category D premises using full inspections/audits.

100% of category E premises will be subject to an inspection or alternative enforcement strategy such as a self-inspection form, to help assess compliance and identify if there has been any change in operations that warrants an inspection.

100% of Unrated premises using full inspections/audits.

NB we received 89 new food premise registration forms in 2018/19 notifying us of new food businesses or changes in ownership. This area of work places a significant demand on our Service as these inspections should be carried out within 28 days. We have no control over this reactive type of work and will aim to achieve 100% of these inspections. However if demand becomes excessive, then resources will be diverted away from lower risk category E and D inspections.

National Food Hygiene Rating Scheme

Newcastle-under-Lyme Borough Council was the first Council in Staffordshire to launch the national Food Hygiene Rating Scheme in June 2011. This has allowed residents and visitors the opportunity to make an informed choice about where they eat based on the premises last Food Hygiene inspection.

After each inspection all food premises are given a score based on their compliance with food hygiene law and confidence in management. These scores are then converted into a Food Hygiene Rating based on the FSA’s ‘Brand Standard’. Businesses can receive a Rating between zero and five.

On 1st April 2019 the following profile of Food Hygiene Ratings were published:

FHRS	Total Premises April 2019	Total Premises April 2018
5 – Very Good	669	668
4 – Good	132	139
3 – Generally Satisfactory	43	60
2 – Improvement Necessary	7	6
1 – Major improvement necessary	12	18
0 – Urgent Improvement Necessary	None	None
Grand Total	893	891

The Food and Safety Team plan to target any premises rated 3 or below to try and improve hygiene standards and protect public health. These premises will be subject to an enhanced number of revisits with the aim of improving standards. However where very serious hygiene offences are identified these premises may also be subject to enforcement action.

Please note, certain categories of food businesses are exempt from the scheme if they do not sell direct to the public or are handling low risk food only e.g. newsagents.

Revisits

Revisits are only made where serious or ongoing contraventions are found during the initial inspection. Last year 25 Food Hygiene revisits were carried out and it is anticipated that a similar number will be required in future years.

Alternative Inspection/ Intervention Strategies

The Service uses an alternative enforcement strategy to deal with lower risk category E food premises. This approach is advocated by the Food Standards Agency as a means to target limited resources towards areas of greatest risk.

The strategy involves sending a food safety questionnaire to those low-risk businesses rated as an E. Proprietors must then self-assess the food safety risk posed by the business and return the questionnaire. Responses are assessed to determine whether any further action is required and non-respondents are targeted with follow up actions and visits if necessary.

Inland control of Imported food

Officers routinely check the traceability of all food during their interventions and this includes food that has been imported from outside the EU ('Third' countries). Officers within the team have received specialist training in Imported Food Control from the Food Standards Agency and support materials are available on the FSA website. Officers also monitor the microbiological quality of imported food as part of national and cross-regional sampling programmes.

3.2 Food Complaints

Food complaints received and investigated by the service fall into one of the following categories of Service Request:

- Food contamination
- Complaints about Hygiene of food businesses (hygiene, pests etc.)

Year	Food Complaints	Hygiene of Food Premises
2018/19	52	251
2017/18	29	161
2016/17	80	232
2015/16	33	141
2014/15	42	135
2013/14	71	273

We have no control over this reactive area of workload and will aim to respond to all service requests within the necessary timescales. Where the service receives excessive numbers of service requests then the Team Manager and Head of Service will make a decision on how these should be prioritised and whether resources need to be re-allocated.

Service requests are investigated in accordance with established procedures and policies. The initial response to complaints will be within five working days depending on the severity of the complaint, with more serious complaints receiving a more urgent response.

3.3 Home Authority Principle and Primary Authority Scheme

The Home Authority Principle is an arrangement where multi-national food businesses can enter into a formal arrangement with a single local authority (known as their Home Authority), to agree on common standards and interpretation of the Regulations in their many premises with the aim of ensuring consistency of enforcement. Local Authorities dealing with these businesses are then expected to have regard to any arrangement agreed by the Home Authority before taking enforcement action.

Primary Authority Scheme

Regulatory Delivery's Primary Authority Scheme is the gateway to simpler, more successful local regulation. It gives businesses the right to form a statutory partnership with a single local authority, which then provides robust and reliable advice for other councils to take into account when carrying out inspections or dealing with non-compliance.

Newcastle Borough Council is not currently acting as a Primary or Home Authority for any businesses within the borough. All of our officers are aware of the schemes and prior to any inspection of a food business that has a Primary Authority, our officers will check the Primary Authority website to review documentation and inspection plans.

3.4 Advice to Business

Wherever possible, our officers will try and work with new and existing food businesses to help them comply with the legislation. Officers will offer advice when requested, and will encourage food business operators through an educative approach to adopt good practice. This is achieved through a number of measures:

- On request, Safer Food Direct: Business support and advice to local businesses ;
- Advisory visits to new and existing businesses who require guidance;
- Advice is routinely given during inspections and other visits to premises;
- Provision of information leaflets and signposting;
- Responding to service requests and enquiries;

- The Council's website;

3.5 Food Inspection and Sampling Programme

Our food sampling activities play an important role in monitoring the microbiological quality of food sold locally and helps us verify that the food business operators have effective food hygiene controls in place. Food is sampled according to a programme co-ordinated through the Staffordshire and Shropshire Food Liaison Group, together with colleagues at the regional Public Health England laboratory at in London. Members of the group implement national, cross-regional and local sampling initiatives based on national intelligence and incidents.

Additional food sampling is carried out as necessary to support food hygiene inspections, the investigation of food complaints and outbreaks of food borne disease.

Samples are currently sent for microbiological examination to the Public Health England UKAS accredited laboratory in London. The laboratory send a courier to collect samples from the Council offices on Tuesdays and Thursdays.

Samples requiring analysis for chemical or physical parameters are sent to the Public Analyst.

The following table outlines the number of food samples taken from food premises for microbiological examination in the last 5 years:

Year	Microbiological Food Samples
2018/19	113
2017/18	120
2016/17	112
2015/16	117
2014/15	146

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

The Food and Safety team investigates all reported cases and outbreaks of food poisoning occurring within the borough in liaison with our colleagues at Public Health England.

The objectives of this service are to:

- Fulfil the Council's statutory responsibilities relating to the control of infectious disease;
- Identify the source and cause of reported infection;
- Implement measures to prevent further spread;
- Protect public health by providing cases and members of the public with advice on personal hygiene, safe food handling and control of infection;
- Exclude food handlers and people working with high-risk groups in consultation with the Consultant in Communicable Disease Control (CCDC);

Large outbreaks are resource intensive and place significant demands on the Service. In the event of a significant outbreak, the Team Manager and Head of Service will monitor the situation and re-allocate resources and staff from other areas as necessary.

During 2018/19 the Council received 126 reported cases of infectious disease (compared to 196 in 2017/18). Control of food related infectious disease is a priority area due to the possible health consequences for the individual and the risk of infection spreading within the community. This area of the service will therefore receive whatever resources are required to fulfil these duties.

3.7 Food Safety Incidents

Food Alerts, product withdrawals and recalls

The FSA issues information about product withdrawals and recalls to let consumers and local authorities know about problems associated with food. A Product Withdrawal Information Notice or a Product Recall Information Notice is issued where a solution to the problem has been put in place – the product has been, or is being, withdrawn from sale or recalled from consumers, for example. A Food Alert for Action is issued where intervention by enforcement authorities is required. These notices and alerts are often issued in conjunction with a product withdrawal or recall by a manufacturer, retailer or distributor.

When a Food Alert for Action is issued, the Council must carry out the specified actions within the alert which may include visiting food premises and removing contaminated food from sale.

The FSA also sometimes issues Allergy Alerts which are normally dealt with by our colleagues in Staffordshire County Council's Trading Standards department.

Food Alerts are sent to the Council via a designated e-mail address which are auto-forwarded to members of the Food and Safety team for their prompt attention. Outside normal working hours the Environmental Health Team Manager subscribes to the FSA's Food Alert text messaging service to alert them to any significant Food Alerts: For Action. The Environmental Health Service also operates an emergency out of hours standby rota so there is always a Manager available to respond in an emergency.

Given the reactive nature of Food Alerts it is not possible to predict the likely resources required. A 'Food Alert: For Action' can have large resource implications as they sometimes involve the need for us visit a large number of food businesses. However due to the risk to Public Health, it is essential that adequate resources are provided to action these Alerts and this area of the service will receive whatever resources are required to fulfil these duties. In serious cases the Team Manager and Head of Service will reallocate, or obtain additional resources to deal with the incident and maintain other high risk workload.

In 2018/19 we received:

Food alert for action	52
Food alert for information	115
Food allergy alert	111
Food recall information notice	99

3.8 Liaison with Other Organisations

The Council is committed to ensuring that the enforcement approach it adopts is consistent with other enforcing authorities.

This is achieved through regular meetings of the Central Food Group North (Staffordshire & Shropshire) Food Liaison Group, which is attended by the Environmental Health Team Manager - Food and Safety. This group comprises of representatives from each of the 9 district and borough councils in the county, alongside Shropshire and Telford and Wrekin Council's, the County Council Trading Standards Department and the Public Health England laboratory and Health Protection teams.

This forum provides an opportunity for the authorities to discuss consistency issues both in their approach to enforcement and in the operation of the Food Hygiene Rating Scheme. The group holds regular training and consistency events and also implements an inter-authority auditing

programme. The group also considers centrally issued guidance and consultations from the Food Standards Agency.

The Council also sends a representative to regular meetings with the Health protection team at Public Health England in Stafford, where communicable disease issues are discussed. These meetings are also attended by the Consultant in Communicable Disease Control (CCDC), local Water companies, DEFRA, AHVLA, Public Health nurses and the Microbiology department.

3.9 Food Safety Promotion

Officers routinely promote food safety issues during their day to day contact with Food Business Operators. We will also be participating in campaigns to promote awareness of the Food Hygiene Rating scheme as part of national Food Safety week.

4. Resources

4.1 Financial Allocation

The Food Safety and Environmental Health budget is published separately on the Council's website at www.newcastle-staffs.gov.uk/

4.2 Staffing Allocation

The Food Safety service within the Council employs the following officers:

Environmental Health Team Manager – Food and Safety
2 FTE Environmental Health Officers
2 Technical Assistant
1 Licensing Officer
1 Food and Safety Assistant
1 Support Assistant (Support staff)

NB These officers do not spend all of their time on Food Law enforcement as they are also responsible for a number of other professional functions such as Health and Safety enforcement, Infectious disease control, Corporate Health and Safety, Licensing etc.

4.3 Staff Development Plan

The council is committed to providing each officer responsible for Food Law enforcement with a minimum of 20 hours Continuing Professional Development (CPD) training each year.

All officers undertaking food safety work meet the qualifications and experience requirements detailed in the Food Safety Act Code of Practice.

Officers responsible for inspecting complex manufacturing and formally approved processes have previously received specialist training.

Professional and technical competence is also supported by:

- The council's annual Performance Appraisal system which helps identify training and development needs;
- Membership of the Staffordshire and Shropshire Food Safety Liaison Group;
- In-house training sessions/team briefings;

5. Quality Assessment

The Environmental Health service has systems in place to help ensure that food hygiene interventions are carried out consistently and in accordance with the Food Law Code of Practice. To assist this process a number of procedure notes and templates have been created that are available electronically to all Officers.

A procedure relating specifically to quality monitoring of inspections has been developed and this is further reinforced by:-

- The Food and Safety Manager carrying out a regular review of the paperwork, notices, and reports produced by officers following inspections;
- Consistency exercises
- Internal and inter-authority audits;
- Monthly team meetings;
- Monthly management meetings;
- Annual Performance Appraisal;

5.1 Conflicts of Interest

Article 4(2b) of [Regulation 882/2004](#) requires that staff carrying out official controls are free from any conflict of interest.

All officers are aware of potential conflicts of interest that may arise in an enforcement situation through promotion of the Food Authority's services. Officers do not provide their own services, e.g. training, in their own time within the borough. We also ensure that potential or actual conflicts of interest do not arise as a result of Home or Originating Authority responsibilities and contracting in services for enforcement purposes.

Our officers do not promote the Borough Council's services exclusively if other providers of those services exist in the area. Pest control is an example of a Council service that may be provided in competition with those supplied by other organisations. In such circumstances customers will be made aware of the availability of alternative service providers.

5.2 Enforcement within local authority-run establishments

The Service has arrangements in place for ensuring compliance with food law in establishments where the Authority is itself the food business operator, and that steps are taken to ensure enforcement decisions are free from any conflict of interest.

If serious breaches of food law are detected in borough Council establishments, this will be brought to the attention of the Chief Executive, without delay.

Contract caterers that operate within local authority establishments will be registered and inspected in the normal way. In some Council buildings, café's, bars and vending machines are provided by outside contractors who register their businesses independently.

In some Council buildings small amounts of confectionary and ice cream are occasionally sold. In such circumstances the relevant Service Manager is responsible for registering the operation with the Food and Safety team and the operation will receive an inspection in the usual way.

6 Review

6.1 Review against the Service Plan

Each quarter performance data on key performance indicators is reported to Cabinet, as detailed below:

Indicator	2018/19 Result
Percentage of food premises that have a zero or one national food hygiene rating.	1.34%

This indicator measures the percentage of food premises that have a zero or one national food hygiene rating, where following each Food Hygiene Inspection, a food business is awarded a rating of between zero (Urgent improvement necessary) and Five (Very good). These ratings are published on the website at <https://www.food.gov.uk/> and <http://ratings.food.gov.uk/>. Those premises that are rated zero (urgent improvement necessary) or one (major improvement necessary) have been found to be not complying with Food Hygiene Regulations and will be subjected to enhanced business support visits/revisits (and in the most serious cases enforcement action) to help them raise their compliance and protect public health.

6.2 Local Authority Enforcement Monitoring System (LAEMS)

Each year we submit performance data to the Food Standards Agency via an online LAEMS return which is reviewed by the food standards agency. The return for 18/19 is due to be completed in May 2019 and the data submitted will then be published on the food standards agency website.

6.3 Identification of any variation from the Service Plan

Key performance indicators listed in the above tables are reviewed on a regular basis. Results are reported to the Head of Service along with reasons for any significant variation, and where necessary an action plan is agreed to prioritise workload.

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

Report for Public Protection and Licensing Committee – April 2019

Title: Public Spaces Protection Order Public Consultation Update

Submitted by: Trevor Smith, Partnerships Interventions Officer

Portfolios: Community Safety and Wellbeing

Ward(s) affected: All

Purpose of the Report

This report is to;

- Provide an update regarding the recent public consultation undertaken on the two proposed Public Spaces Protection Orders (PSPOs) and provide recommendations to the committee seeking approval to adopt two PSPOs in the Borough.

Recommendations

That the Public Protection and Licensing Committee considers the content of this report and Members approve the making of the Orders by the Borough Council at the following locations;

1. Newcastle Town Centre PSPO(see Appendix 1)
2. Queen Elizabeth Park PSPO (see Appendix 2).

Reasons

- Following ongoing reports of anti-social behaviour in these locations, the Borough Council is seeking to use its powers to impose prohibitions to tackle incidents of anti-social behaviour. Please refer to Appendices 1 and 2 for further information.
- The Committee is required to consider agreeing both orders so that these can be adopted, publicised and enforced within Newcastle Town Centre.

1 Background

- 1.1 A Public Spaces Protection Order is an order made under the Anti-Social Behaviour, Crime and Policing Act 2014 whereby this legislation allows for an order to identify a particular space or area to which it will be applied; and can make requirements, or prohibitions, or both within that space or area. This means that the Local Authority can, by virtue of the order, require people to do, or not to do specific things in that space or area. The Local Authority has the powers to grant the prohibitions/requirements where it believes that they are reasonable in order to reduce or prevent the unwanted issues. The order can be applied to specific people or everyone within an area and can apply at all times or within specific times. The order can apply for a maximum of 3 years upon which the process of reviews and consultation must be repeated to check whether the issues are still occurring and the order is having the required effect. After the initial 3 years, the order can be extended for a further 3 years, and upon further reviews and consultation, can be extended more than once for further periods of 3 years.

- 1.2 Failure to comply with either a prohibition, or requirement stated within the order is an Level 3 offence. Upon summary conviction (offences heard within the Magistrates Court) defendants can face a fine. The defendant cannot be found guilty of an offence under a prohibition/requirement where the Local Authority did not have the power to include it in the order. The authority has the option to either prosecute or issue an FPN to discharge liability to convict (s67 & 68 of the ASB, Crime and Policing act).
- 1.3 The main issues in Newcastle-under-Lyme Town Centre have been highlighted as street drinking, drug taking, aggressive and/or persistent begging, general anti-social behaviour, vandalism/defacement of property and car cruising.
- 1.4 At the Public Protection and Licensing Committee on 31st July 2018 an Officer from the Partnerships Team presented a report requesting the Committee to approve the inclusion of persistent and aggressive begging in the PSPO conditions. This was approved at the same meeting.
- 1.5 A six week public consultation was undertaken from 13th August to 24th September 2018. Its purpose was to gauge the level of support for the inclusion of a number of prohibitions for the PSPO in Newcastle Town Centre.
- 1.6 A further six week public consultation was undertaken from 8th February 2019 to 22nd March. Its purpose was to outline the final agreed conditions and the defined boundaries of enforcement. Please refer to Appendix 3: Public Spaces Protection Order Public (PSPO) consultation 2018 for further information.
- 1.7 As part of the public consultation the boundaries for the exclusion zones whereby the proposed PSPO's would be situated were determined. This included the Newcastle Town centre and Queen Elizabeth Park areas.

2. Public Consultation findings

- 2.1 From 9 February to 21 March 2019 there were 161 online responses submitted, but not all respondents answered every question.
 - 143 from residents of Newcastle-under-Lyme Borough
 - 35 from people employed in Newcastle-under-Lyme Borough
 - 20 from visitors to Newcastle-under-Lyme
 - 14 from local business owners/managers in the Borough
 - 5 received from representatives of partner organisations
 - 1 from a political candidate
- 2.2 There is clear support for all the proposals with at least 74 per cent who agree that each of the proposed restrictions were justified.
 - The lowest support for the proposed restrictions related to car parks, other enclosed spaces, vandalism (74 per cent each) and begging/rough sleeping (76 per cent).
 - The highest support for the proposed restrictions related to street drinking (87 per cent) and drug taking (85 per cent).
 - The lowest rates of agreement were from the 31-40 age group. The highest levels of agreement were from the 30 and under age group.
 - Generally the older age groups were more in agreement (answering 'yes').
- 2.3 Following the feedback from the Public Consultation it provides majority support for the two PSPO's to be made. Please refer to the report in Appendix 4 for further information.

3. Proposed Prohibitions

3.1 The proposed prohibitions for the 'Town Centre' and 'Queen Elizabeth Park' PSPOs are:

1. Possessing or using of an aerosol and/or any item intended to cause defacement
2. Undertaking repairs of vehicles within Borough Council owned car parks in the Exclusion Zone other than for urgent breakdown repairs.
3. Using any Borough Council owned car parks within the Exclusion Zone as a place to congregate, such car parks are for legitimate parking purposes only.
4. Engaging in behaviour likely to cause harassment, alarm or distress within the Exclusion Zone. Examples include, but are not limited to the following activities:
 - Congregating in a group of three or more persons within the Exclusion Zone following a request from an Authorised Person that such group must disperse.
 - Being verbally abusive to any other person within the Exclusion Zone.
 - Using or threatening to use violence against any other person within the Exclusion Zone.
 - Having in their possession open cans, bottles or other unsealed receptacles containing alcoholic beverages (including empty receptacles) within the Exclusion Zone.
 - Failing to cease to consume alcohol and/or surrender alcohol when requested to do so by a police officer or other authorised person.
 - Ingesting, inhaling, injecting, smoking or otherwise using intoxicating substances including novel psychoactive substances within the Exclusion Zone.
 - Persistent and aggressive begging, causing obstruction, harassment and threatening behaviour, which could cause intimidation.

4. Recommendations

4.1 It is recommended that the Public Protection and Licensing Committee approved the proposed Public Spaces Protection Orders for both Newcastle Town Centre and Queen Elizabeth Park.

5. Outcomes Linked to Corporate Priorities

5.1 The Council Plan 2018-2022 outlines a priority to commit to provide a healthy, active and safe Borough and pledges to ensure that everyone is able to enjoy a safe environment, and have access to a wide range of facilities and activities to support residents and visitors to improve their health and quality of life. As a Borough we have a vibrant town centre and we have a priority to provide a town where everyone can live, work, shop, study and spend their leisure time whilst feeling safe. To achieve the Council's priorities PSPO's can be utilised in building on our work with Police and partners to reduce anti-social behaviour and fear of crime in our communities.

6. Legal and Statutory Implications

- 6.1 PSPO's can be challenged on the grounds that the Local Authority, under the legislation, did not have the power either to make or vary the Order or include particular prohibitions or requirements, or that proper processes had not been followed (as prescribed by the legislation). Challenges must be made to the High Courts within 6 weeks of the Order being made/varied and by an individual who lives in, regularly works in, or visits the restricted area. The High Court can quash, uphold or vary the PSPO and may decide to suspend the operation of the PSPO pending the verdict.

7. Equality Impact Assessment

- 7.1 An Equality Risk Assessment has been refreshed detailing how PSPO's will affect disadvantaged and vulnerable individuals such as dependent street drinkers, rough sleepers and beggars.

8. Financial and Resource Implications

- 8.1 The two PSPO's will be managed under existing Council resources in the Partnerships Team, Legal and Finance Teams with assistance from partners such as the Police who will be identifying breaches of the PSPO, issuing FPNs and as authorised persons on behalf of the Council as outlined in the PSPO Order.
- 8.2 There may be an additional staffing resource required to support the management of FPN's, including income recovery when non-payment occurs. This depends on how many FPNs are issued and how many occurrences there are of non-payments. Also, the level of resulting income cannot be accurately predicted but is not expected to be significant. It will be monitored on a regular basis and managed using existing resources.

9. Key Decision Information

- 9.1 This report can be considered key because it requires the Borough Council to commit existing and additional resources for the function to which the decision relates.

10. Earlier Cabinet/Committee Resolutions

- 10.1 In June 2018 the Anti-Social Behaviour Policy report was approved by Cabinet.
- 10.2 In July 2018 the report 'Public Spaces Protection Orders review' was approved by Cabinet.
- 10.3 In July 2018 the report 'Public Spaces Protection Orders variation' was approved in principle by the Public Protection and Licensing Committee.
- 10.4 In January 2019 the report 'Public Spaces Protection Order Public Consultation Update' was approved by the Public Protection and Licensing Committee.

11. List of Appendices

- 11.1 Appendix 1: Public Spaces Protection Order Newcastle Town Centre (Legal Order)
- 11.2 Appendix 2: Public Spaces Protection Order Queen Elizabeth Park (Legal Order)

11.3 Appendix 3: Public Spaces Protection Order Public (PSPO) Consultation 2018

11.4 Appendix 4: Public Spaces Protection Order Public (PSPO) Consultation March 2019

12. Background Papers

12.1 None

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
PUBLIC SPACE PROTECTION ORDER NUMBER 1 OF 2018 (the “ORDER”)
AREA OF NEWCASTLE-UNDER-LYME TOWN CENTRE

THIS ORDER may be cited as Newcastle-under-Lyme Borough Council, Public Spaces Protection Order Number of 2018.

Newcastle-under-Lyme Borough Council exercises its powers under Section 59, 64 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and under all other enabling powers, hereby makes the following order:

1. This Order shall come into operation on DATE and shall have an effect for 3 years thereafter, unless extended by further order under the Councils statutory powers.
2. This Order relates to the part of Newcastle-under-Lyme Borough Council, area of Newcastle Town Centre as shown edged red on Appendix 1 (“the Exclusion Zone”).
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that anti-social behaviour and criminal activities have been carried out within the Exclusion Zone. These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the activities will be carried out within that area and have such an effect.
4. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

PROHIBITIONS:

1. Possessing or using of an aerosol and/or any item intended to cause defacement within the Exclusion Zone.
2. Undertaking repairs of vehicles within Borough Council owned car parks in the Exclusion Zone other than for urgent breakdown repairs.
3. Using any Borough Council owned car parks within the Exclusion Zone as a place to congregate, such car parks are for legitimate parking purposes only.
4. Engaging in behaviour likely to cause harassment, alarm or distress within the Exclusion Zone. Examples include, but are not limited to the following activities:
 - a. Congregating in a group of three or more persons within the Exclusion Zone following a request from an Authorised Person that such group must disperse.
 - b. Being verbally abusive to any other person within the Exclusion Zone.
 - c. Using or threatening to use violence against any other person within the Exclusion Zone.

APPENDIX 1

- d. Having in their possession open cans, bottles or other unsealed receptacles containing alcoholic beverages (including empty receptacles) within the Exclusion Zone.
 - e. Carrying out any form of graffiti on any surface within the Exclusion Zone.
5. Failing to cease to consume alcohol and/or surrender alcohol when requested to do so by a police officer or other authorised person.
 6. Ingesting, inhaling, injecting, smoking or otherwise using intoxicating substances including novel psychoactive substances within the Exclusion Zone.
 7. Persistent and aggressive begging, causing obstruction, harassment and threatening behaviour, which could cause intimidation.

FIXED PENALTY NOTICES AND OFFENCES:

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 63 of the Act, a person found to be in breach of this Order by consuming alcohol or by refusing to surrender alcohol to an authorised person is liable on summary conviction to a maximum penalty of a level 2 fine or to a Fixed Penalty Notice..
3. In accordance with section 67 of the Act, a person found to be in breach of this Order other than by consuming alcohol or by refusing to surrender alcohol to an authorised person is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice..

APPEALS

1. In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

DEFINITION AND EXEMPTIONS:

1. Order may be cited as the '*Newcastle-under-Lyme Town Centre Anti-social Behaviour Public Spaces Protection Order*'.
2. '*Authorised Person*' a person authorised by the Newcastle-under-Lyme Borough Council including employees, partnership agency or contractor. Such authorised person must produce their authorisation upon request.
3. '*Intoxicating substances*' means substances with the capacity to stimulate or depress the central nervous system but does not include tobacco, alcohol or vaporisers.
4. '*Persistent and aggressive*' in the context of begging means sitting or loitering in a public space with any receptacle used to contain monies for the purpose of begging, soliciting payment, harassing and threatening such that could cause intimidation.
5. Consuming alcohol in breach of a PSPO is not an offence under S.67 of the Act. However, under S.63 of the Act it is an offence to fail to comply with a request by a Police Officer or

APPENDIX 1

an Authorised Person to cease drinking or surrender alcohol that a person has been or intends to drink in breach of the prohibition in the PSPO. This is also liable on summary conviction to a fine not exceeding level 2 on the standard scale. If alcohol is confiscated, it can be disposed of by the person who confiscates it.

RESTRICTIONS AND PENALTY:

1. The Council is satisfied that the conditions set out in Sections 59, 64 and 72 of the Act have been satisfied and that it is in all the circumstances expedient to make this Order for the purposes of prohibiting the Activities within the Exclusion Zone. The effect or likely effect of this is, or is likely to be, of a persistent or continuing nature, such as to make this unreasonable, and justifies the restrictions imposed by this Order.
2. It is an offence for a person without reasonable excuse to engage in Activities which are prohibited by this Order.
3. No person shall:
 - a. Obstruct any authorised officer in the proper execution of their duties;
 - b. Obstruct any other person carrying out an act which is necessary to the proper execution of any contract associated with this order;
4. A person found to be in breach of this Order shall be liable on summary conviction to a maximum penalty of level 3 on the standard scale or a Fixed Penalty Notice of £100.

APPENDIX:

A street plan of Newcastle-under-Lyme Borough Council, Area of Newcastle Town Centre showing the Exclusion Zone edged in red.

Given under the Common Seal of
Newcastle-under-Lyme Borough Council
On the

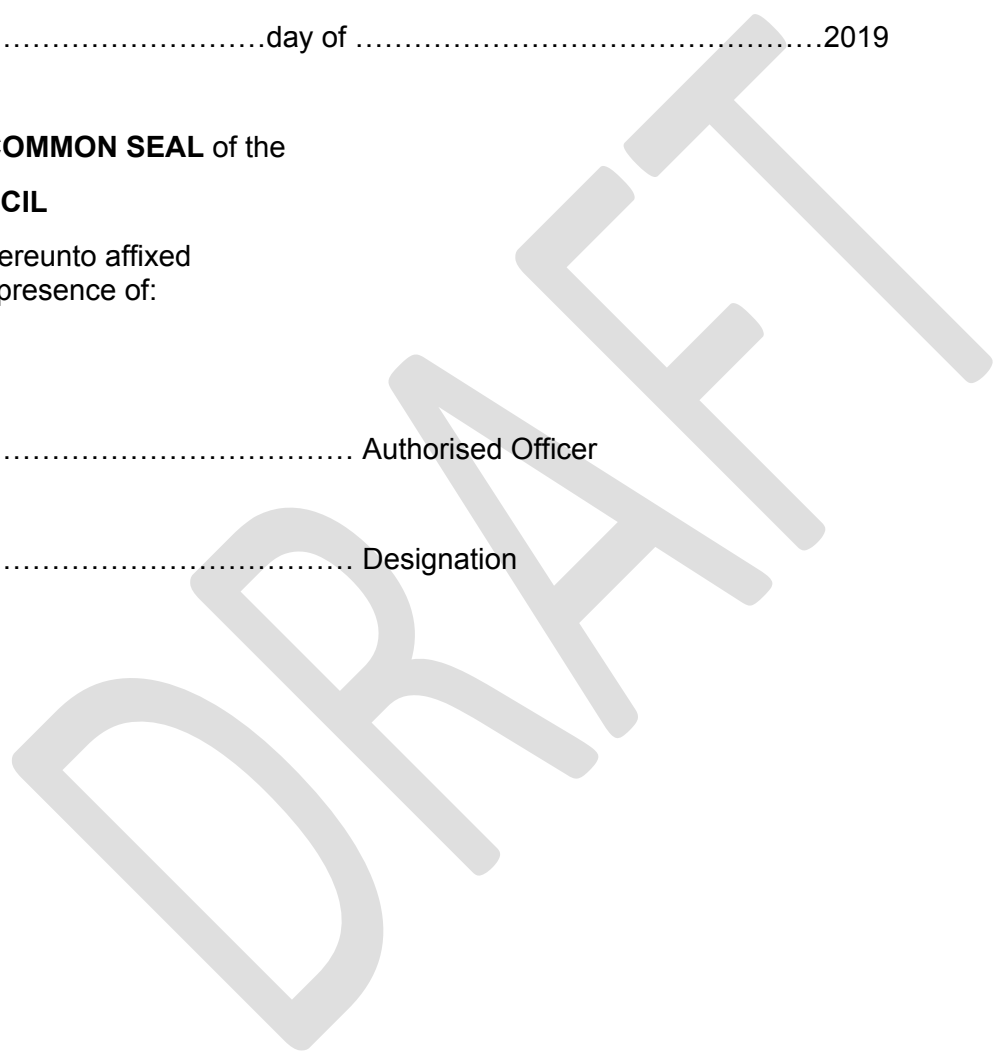
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THE COMMON SEAL of the
COUNCIL

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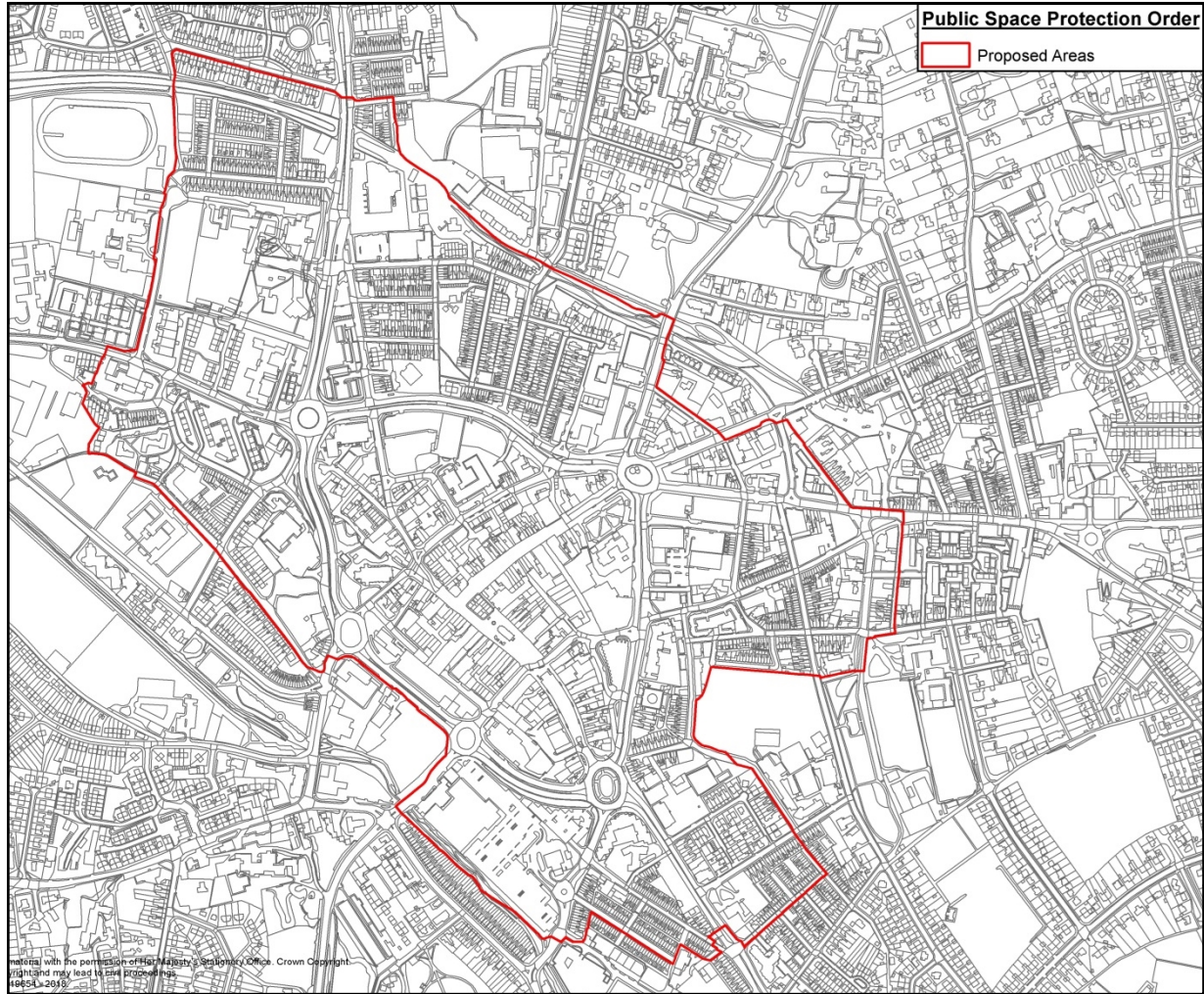
..... Authorised Officer

..... Designation



APPENDIX 1
PUBLIC SPACE PROTECTION ORDER NUMBER 1 of 2018 (the “ORDER”)
AREA OF NEWCASTLE-UNDER-LYME TOWN CENTRE (“the Exclusion Zone”)

DRAFT



NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PUBLIC SPACE PROTECTION ORDER NUMBER 1 OF 2018 (the "ORDER")

AREA OF QUEEN ELIZABETH PARK (off SILVERDALE ROAD)

THIS ORDER may be cited as Newcastle-under-Lyme Borough Council, Public Spaces Protection Order Number 2 of 2018.

Newcastle-under-Lyme Borough Council exercises its powers under Section 59, 64 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") and under all other enabling powers, hereby makes the following order:

1. This Order shall come into operation on DATE and shall have an effect for 3 years thereafter, unless extended by further order under the Councils statutory powers.
2. This Order relates to the part of Newcastle-under-Lyme Borough Council, area of Queen Elizabeth Park as shown edged red on Appendix 1 ("the Exclusion Zone").
3. The Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met. Namely, that anti-social behaviour and criminal activities have been carried out within the Exclusion Zone. These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the activities will be carried out within that area and have such an effect.
4. The Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing crime and/or anti-social behaviour in a public place.

PROHIBITIONS:

1. Possessing or using of an aerosol and/or any item intended to cause defacement within the Exclusion Zone.
2. Undertaking repairs of vehicles within Borough Council owned car parks in the Exclusion Zone other than for urgent breakdown repairs.
3. Using any Borough Council owned car parks within the Exclusion Zone as a place to congregate, such car parks are for legitimate parking purposes only.
4. Engaging in behaviour likely to cause harassment, alarm or distress within the Exclusion Zone. Examples include, but are not limited to the following activities:
 - a. Congregating in a group of three or more persons within the Exclusion Zone following a request from an Authorised Person that such group must disperse.
 - b. Being verbally abusive to any other person within the Exclusion Zone.
 - c. Using or threatening to use violence against any other person within the Exclusion Zone.

APPENDIX 2

- d. Having in their possession open cans, bottles or other unsealed receptacles containing alcoholic beverages (including empty receptacles) within the Exclusion Zone.
 - e. Carrying out any form of graffiti on any surface within the Exclusion Zone.
5. Failing to cease to consume alcohol and/or surrender alcohol when requested to do so by a police officer or other authorised person.
 6. Ingesting, inhaling, injecting, smoking or otherwise using intoxicating substances including novel psychoactive substances within the Exclusion Zone.
 7. Persistent and aggressive begging, causing obstruction, harassment and threatening behaviour, which could cause intimidation.

FIXED PENALTY NOTICES AND OFFENCES:

1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
2. In accordance with section 63 of the Act, a person found to be in breach of this Order by consuming alcohol or by refusing to surrender alcohol to an authorised person is liable on summary conviction to a maximum penalty of a level 2 fine or to a Fixed Penalty Notice..
3. In accordance with section 67 of the Act, a person found to be in breach of this Order other than by consuming alcohol or by refusing to surrender alcohol to an authorised person is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice..

APPEALS

1. In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

DEFINITION AND EXEMPTIONS:

1. Order may be cited as the '*Queen Elizabeth Park Anti-social Behaviour Public Spaces Protection Order*'
2. "*Authorised Person*" a person authorised by the Newcastle-under-Lyme Borough Council including employees, partnership agency or contractor. Such authorised person must produce their authorisation upon request.
3. '*Intoxicating substances*' means substances with the capacity to stimulate or depress the central nervous system but does not include tobacco, alcohol or vaporisers
4. '*Persistent and aggressive*' in the context of begging means sitting or loitering in a public space with any receptacle used to contain monies for the purpose of begging, soliciting payment, harassing and threatening such that could cause intimidation
5. Consuming alcohol in breach of a PSPO is not an offence under S.67 of the Act. However, under S.63 of the Act it is an offence to fail to comply with a request by a Police Officer or

APPENDIX 2

an Authorised Person to cease drinking or surrender alcohol that a person has been or intends to drink in breach of the prohibition in the PSPO. This is also liable on summary conviction to a fine not exceeding level 2 on the standard scale. If alcohol is confiscated, it can be disposed of by the person who confiscates it.

RESTRICTIONS AND PENALTY:

1. The Council is satisfied that the conditions set out in Sections 59, 64 and 72 of the Act have been satisfied and that it is in all the circumstances expedient to make this Order for the purposes of prohibiting the Activities within the Exclusion Zone. The effect or likely effect of this is, or is likely to be, of a persistent or continuing nature, such as to make this unreasonable, and justifies the restrictions imposed by this Order.
2. It is an offence for a person without reasonable excuse to engage in Activities which are prohibited by this Order.
3. No person shall:
 - a. Obstruct any authorised officer in the proper execution of their duties;
 - b. Obstruct any other person carrying out an act which is necessary to the proper execution of any contract associated with this order;
4. A person found to be in breach of this Order shall be liable on summary conviction to a maximum penalty of level 3 on the standard scale or a Fixed Penalty Notice of £100.

APPENDIX:

A street plan of Newcastle-under-Lyme Borough Council, Area of Queen Elizabeth Park showing the Exclusion Zone edged in red.

Given under the Common Seal of
Newcastle-under-Lyme Borough Council
On the

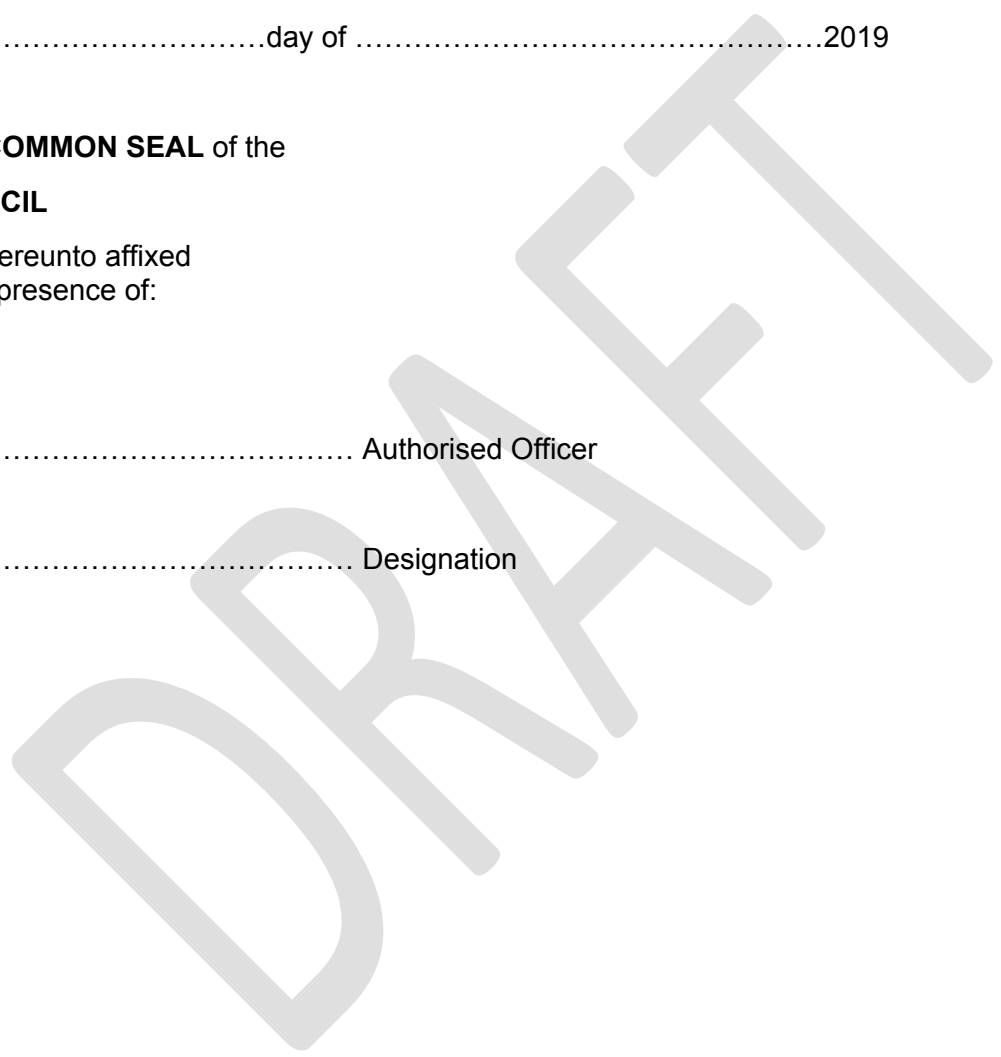
.....day of2019

THE COMMON SEAL of the
COUNCIL

Was hereunto affixed
In the presence of:

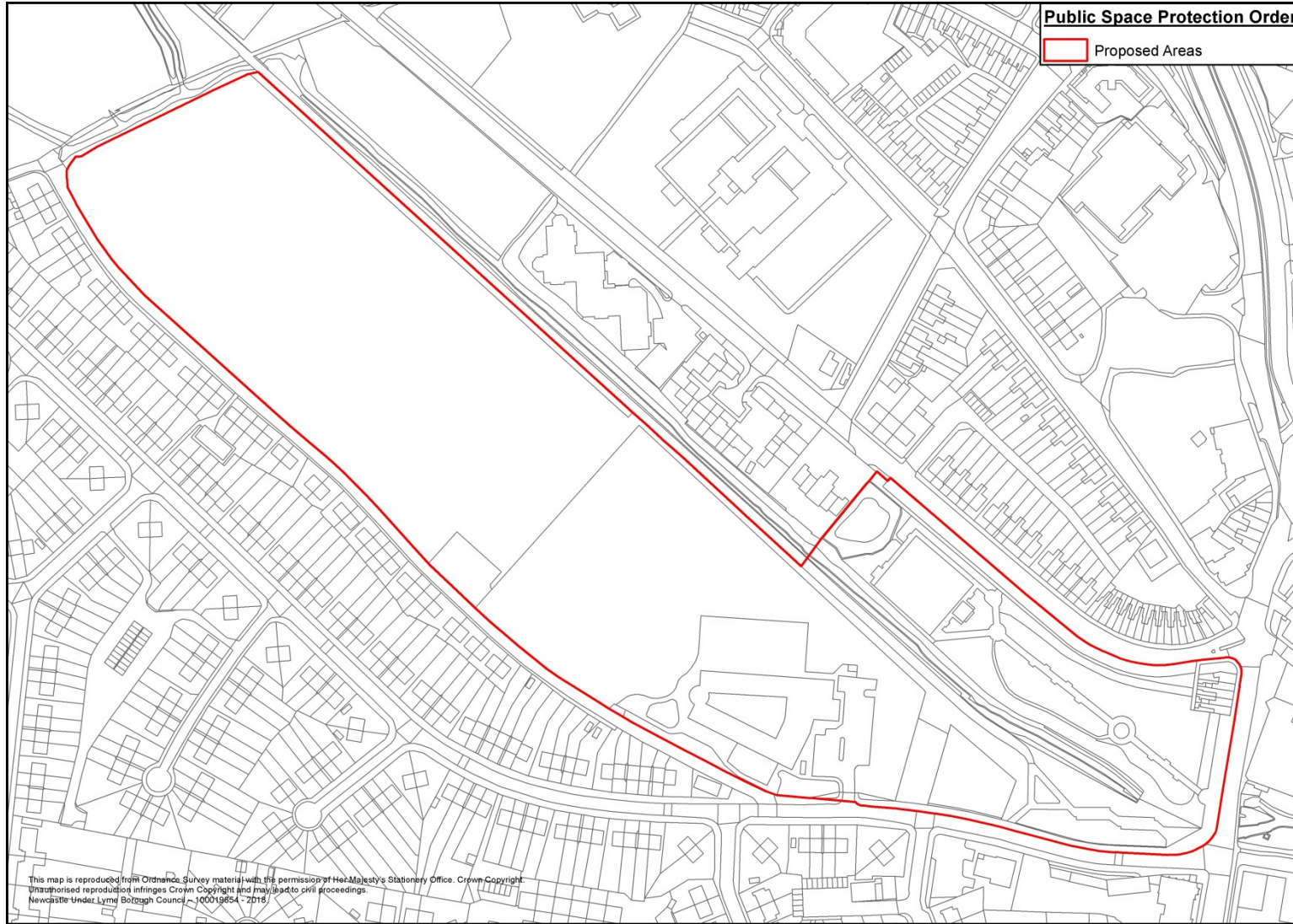
..... Authorised Officer

..... Designation



APPENDIX 1
PUBLIC SPACE PROTECTION ORDER NUMBER 2 of 2018 (the “ORDER”)
AREA OF QUEEN ELIZABETH PARK (“the Exclusion Zone”)

DRAFT





Public Space Protection Order Public (PSPO) Consultation 2018

Background

From 15 August to 24 September 2018 there were 228 online responses submitted, but not all respondents answered every question.

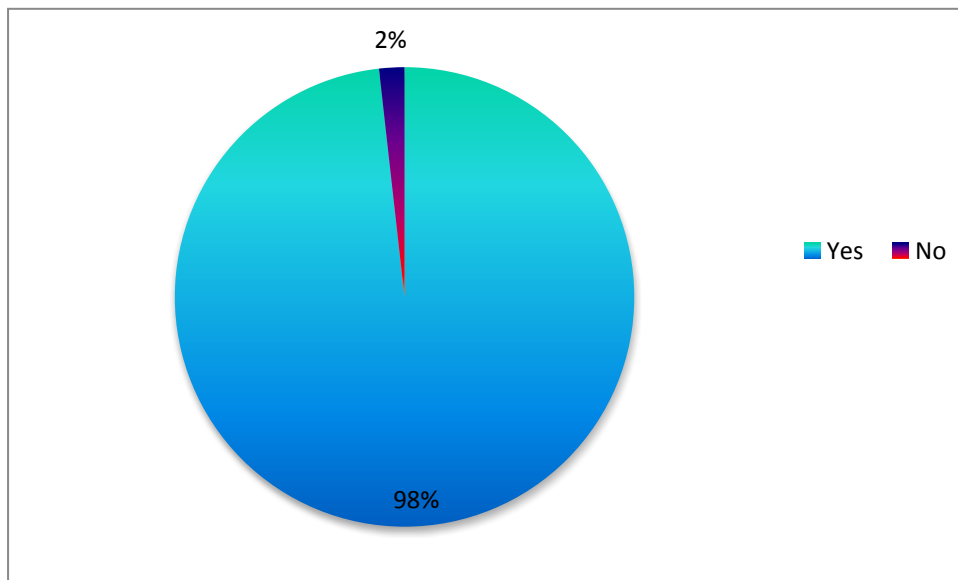
Headline findings

- Respondents aged 60+ were more concerned about begging and its effects than younger respondents
 - There was only one respondent aged under 20
- 63 per cent considered begging to be a problem in and around Newcastle town centre
 - 72 per cent of respondents aged 60+ considered it a problem
- 43 per cent said that beggars discouraged them from visiting and shopping in the town centre
 - 51 per cent of respondents aged 60+ said it did discourage them
- 62 per cent agreed that the council should introduce a new requirement to address aggressive and persistent begging and associated Anti-Social Behaviour
 - 73 per cent of respondents aged 60+ agreed
- 43 per cent said that they thought additional controls were required / other locations where specific controls need to be set.
 - Subways were considered particularly bad areas
- Significant numbers of objections to the proposals on the basis that the council should be providing help to vulnerable people rather than persecuting them.

Q1) Do you live or work in Newcastle-under-Lyme or visit it regularly?

98 per cent of the 225 respondents who answered this question said that they did, with the remaining 2 per cent (four respondents) saying that they did not.

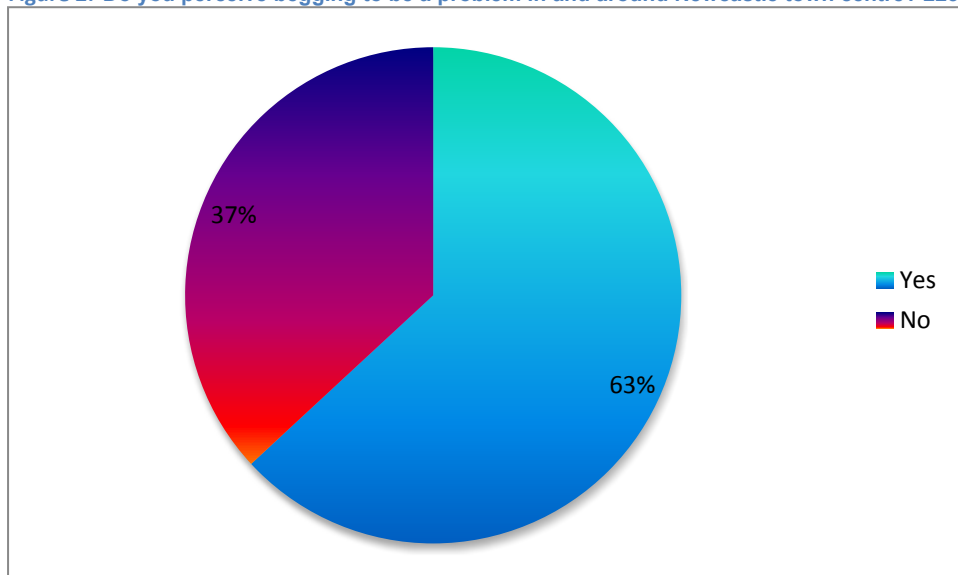
Figure 1: Do you live or work in Newcastle-under-Lyme or visit it regularly? 225 responses



Q2) Do you perceive begging to be a problem in and around Newcastle town centre?

Approaching two-thirds of respondents (63 per cent) thought that begging was a problem, with, therefore, a little over one-third (37 per cent) saying that it was not.

Figure 2: Do you perceive begging to be a problem in and around Newcastle town centre? 225 responses



APPENDIX 3

Respondents were then given the opportunity to add further comments, and 58 did so. It is safe to say that opinion was very much divided, indeed polarised with the comments. There were 26 comments left that were broadly in agreement that begging was a problem, with the following themes most commonly mentioned:

- Subways are scary areas
 - Impossible to go to the subways by Morrisons or Holy Trinity Catholic Church without being accosted
 - Especially for disabled / elderly / children
- They are not genuine – why can we not help the real homeless people and evict all those who beg but don't need to?
- Litter is left by beggars but they are never fined for it

...but there were also 26 comments expressing real disagreement, with these themes:

- These poor people need help not victimisation
- How can you fine people who have nothing? How will they pay?
- I'm ashamed to pay Council Tax to a council who even contemplates being so cruel to vulnerable people
- It's down to the Government and Staffordshire County Council making such cutbacks that there is no help for these vulnerable people

...and six comments that suggested it was not beggars who were the main problem in the town centre, summarised here:

- Chuggers are far worse
 - Always being asked to sponsor a child and that puts me off more than begging
- Virgin Media van is inconvenient to get round
- The religious preachers can be hateful and off-putting

It may be of interest to see that the oldest respondents – those aged 60 and above – were by far the most likely to say that it was a problem. Almost three-quarters of respondents from this age group thought it was a problem, yet in the other age groups it was only a minority who thought that it was.

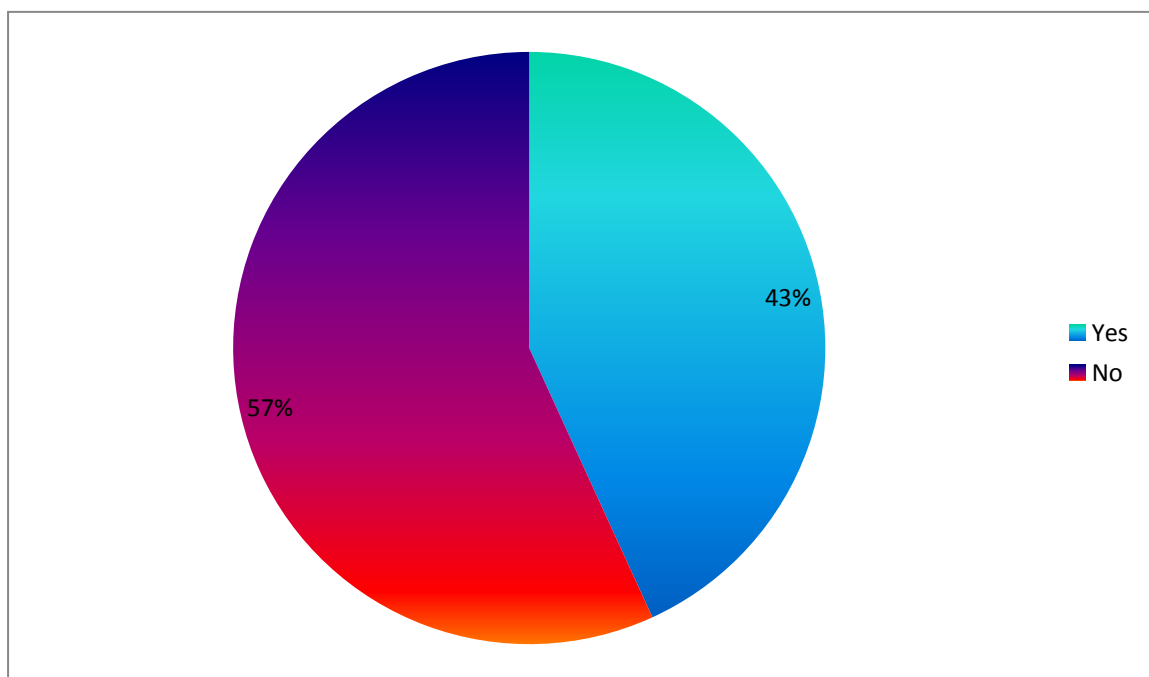
Table 1: Do you perceive begging to be a problem in and around Newcastle town centre? By age group

Age of respondents	Yes (were discouraged)	No (were not discouraged)
0-19 (note – only one respondent)	100 per cent	0 per cent
20-39	41 per cent	59 per cent
40-59	41 per cent	59 per cent
60+	72 per cent	28 per cent

Q3) Do beggars discourage you from visiting and shopping in the town centre?

Again, the 227 responses were mixed here, with just over two-fifths (43 per cent) of respondents saying that they were discouraged and so nearly three-fifths (57 per cent) saying that they were not.

Figure 2: Do beggars discourage you from visiting, and shopping in, the town centre? 227 respondents



However, it may be of interest to know that the oldest respondents to this survey were, again, far more concerned than younger respondents, with slightly more than half (51 per cent) saying they were discouraged. In the other age groups it was only a minority who said that they were discouraged.

Table 2: Do beggars discourage you from visiting and shopping in the Town Centre? By broad age group.

Age of respondents	Yes (were discouraged)	No (were not discouraged)
0-19 (note – only one respondent)	100 per cent	0 per cent
20-39	44 per cent	56 per cent
40-59	36 per cent	64 per cent
60+	51 per cent	49 per cent

Further comments were invited and several were left – evenly split between those in agreement and those in disagreement. Those comments contained the following messages:

- It's sickening to see them target pensioners and women with children
- Subways are no-go areas
 - Especially the sunken roundabout subways
 - Uncomfortable for families
 - Public urination
 - Constant drinking and littering
- Begging is getting worse
- I keep being asked for money and cigarettes by people who clearly have enough money to drink
- Not a day goes by when I'm not asked for money
 - I don't enjoy coming into Newcastle anymore

The comments suggesting that begging was not a problem contained the following themes:

- I'm more put off by parking charges
 - Lack of decent shops is what discourages me
 - Chuggers put me off
- It's easy to ignore beggars
 - I've only once been harassed
- Fining them will make them resort to crime
 - How will they be able to pay?
- They are members of the community as much as us and need help
- Lack of support from the council is awful
 - They must be given somewhere to live and food to eat.

Q4) Do you agree that the Borough Council should introduce a new requirement to address aggressive and persistent begging and associated Anti-Social Behaviour?

Just over three-fifths (62 per cent) of the 223 respondents agreed that this should be introduced, meaning therefore almost two-fifths (38 per cent) said it should not.

Table 3: Do you agree that the Borough Council should introduce a new requirement to address aggressive and persistent begging and associated anti-social behaviour? 223 respondents

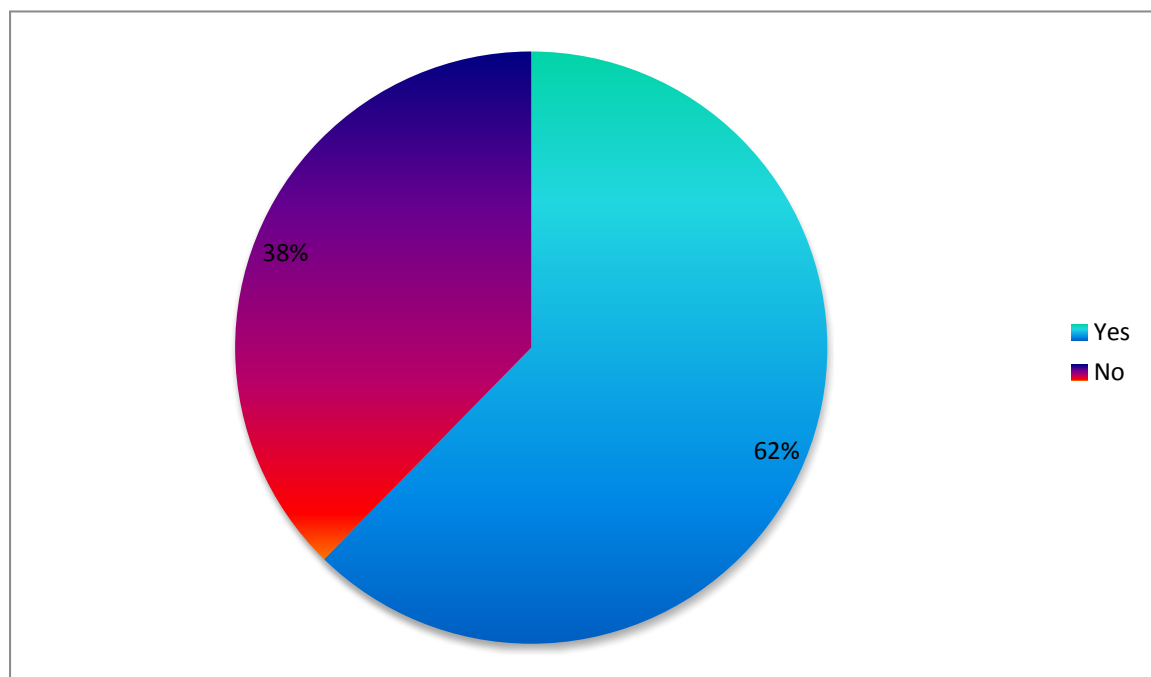


Table 4: Do you agree that the Borough Council should introduce a new requirement to address aggressive and persistent begging and associated Anti-Social Behaviour? By broad age group.

Age of respondents	Yes (were discouraged)	No (were not discouraged)
0-19 (note – only one respondent)	100 per cent	0 per cent
20-39	60 per cent	40 per cent
40-59	56 per cent	44 per cent
60+	73 per cent	27 per cent

Once more, the comments left showed quite a polarisation of opinion. There were some comments left that were very much in favour, but even more that were very much in disagreement. The main themes of the comments that agreed with introduction were as follows:

- Yes, but don't wait until it's persistent and aggressive, begging is a crime so stop it sooner
- So many hide in subways
- Ban them all from the town centre
- Most or not genuine
- Same old faces
 - Many have cars and drive in from other areas
 - Nothing to stop them at the moment.

There were several comments left that were opposed, with the key themes being:

- Prevent homelessness from happening first
- Don't punish the vulnerable
 - Their only crime is being poor
 - Offer support, not stigmatisation
 - Prevent people from getting in that position
 - They are your residents and deserve your help
 - Other councils provide more help
- The way this is worded makes it sound like you've made your mind up and are just seeking confirmation
 - The question suggests aggression occurs when it's not proven
- Fining them will make them turn to crime – how does this help anyone?
- No one chooses to be on the street in the cold

There were other comments left that were not necessarily in favour or opposed:

- It's difficult to answer without knowing what 'persistent' means. One occasion? 10? After warnings? How many warnings?
- Is non-aggressive begging OK then?
 - Persistent not the same as aggressive
- Please have this for chuggers as well
- The fines just won't get paid if the proposals are accepted or not
 - I've read that none of the Fixed Penalty Notices given out have yet been paid
- Who will enforce the fines? Will Council staff have to act as police officers?
 - Unless you have absolute proof you can't criminalise anyone in this way

Q5) Are there any additional controls you think are required, or any other locations where specific controls need to be set?

43 per cent said that they thought that there were, and their comments are summarised here:

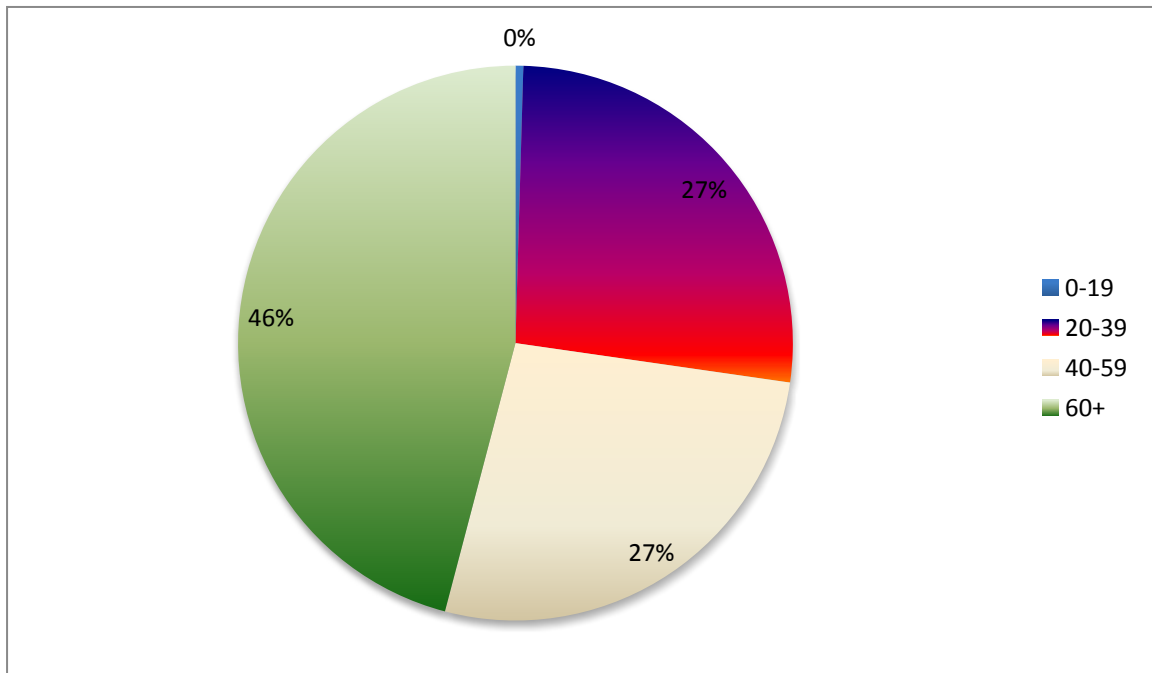
- Subways (by far the most common answer)
- Advertising boards blocking pavements
- Cotton Mill pub and Sainsbury's
- Heywood's subway and the sunken roundabout

APPENDIX 3

- Kidsgrove, Wolstanton, Chesterton and Silverdale all have similar problems, why are they not included?
- Natwest Bank and Boots Pharmacy
- Queen Elizabeth Park and Aldi
- Roundabout at the top of London Road to Morrisons has groups who are intimidating
- Work with the Lyme Trust as it's their residents in the sunken roundabouts and parks

Age of respondents

Respondents were asked which broad age group they belonged to and 220 told us. Almost half were aged between 40 and 59, with around one-quarter (27 per cent) aged 20 to 39 and the same (27 per cent) aged 60+. Only one respondent, less than one per cent, was aged under 20.





Public Space Protection Order Public (PSPO) Consultation 2019

Background

- From 9 February to 21 March 2019 there were 161 online responses submitted, but not all respondents answered every question
 - 143 from residents of Newcastle-under-Lyme borough
 - 35 from people employed in Newcastle-under-Lyme Borough
 - 20 from visitors to Newcastle-under-Lyme
 - 14 from local business owners/managers
 - Five received from representatives of organisations
 - One from a political candidate

Headline findings

- Clear support for all the proposals. At least 74 per cent thought that each of the proposed restrictions were justified.
 - Lowest support for the proposed restrictions in car parks and other enclosed spaces and for vandalism (74 per cent each) and begging/rough sleeping (76 per cent).
 - Highest support for the proposed restrictions on street drinking (87 per cent) and drug taking (85 per cent)
- Lowest rates of agreement were from the 31-40 age group
 - But very high levels of agreement from the 30 and under age group.
- Generally, but not completely, older age groups were more in agreement (answering 'yes').

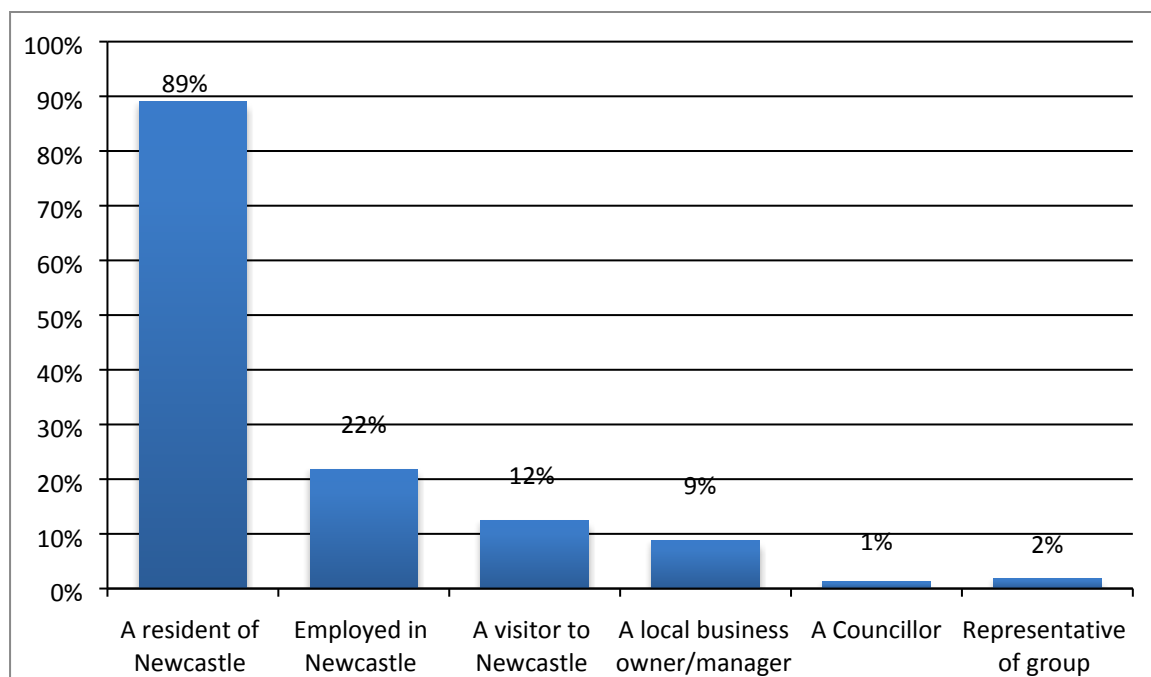


Analysis

Q1) Are you...?

Respondents were asked about their links to Newcastle. Note that as they could choose more than one answer, totals will add up to more than 100 per cent.

Figure 1: Are you....? 161 respondents



Submissions were also received from representatives of the following local community/voluntary groups:

- Newcastle-under-Lyme Civic Society
- Newcastle scouts
- Liberal Democrats
- Knutton residents association
- Porthill resident
- Candidate for the Labour Party for March 21st Election in Holditch and Chesterton

A large majority (89 per cent) of the respondents said that they lived in Newcastle. 140 of them provided at least part of their home postcodes, showing that they were from the following wards/non-borough areas.

Table 1: Location of respondents based on 140 respondents

Ward / area	Respondents
Audley	5
Bradwell	7
Clayton	8
Crackley & Red Street	1
Cross Heath	7
Holditch & Chesterton	5
Keele	3
Kidsgrove & Ravenscliffe	1
Knutton	2
Madeley & Betley	3
Maer & Whitmore	1
May Bank	6
Silverdale	3
Talke & Butt Lane	1
Thistleberry	10
Town	25
Westbury Park & Northwood	6
Westlands	13
Wolstanton	6
Unknown ST5	17
Biddulph	1
Stoke-on-Trent	7
Nantwich	1

Q2) Do you feel that street drinking in and around Newcastle Town Centre and Queen Elizabeth Park is having a detrimental effect on people's quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

Responses were very much in agreement, with between 85 per cent and 87 per cent answering yes to the four parts below, and with 87 per cent saying that the proposed restrictions are justified:

Table 2: Do you feel that street drinking in and around Newcastle Town Centre and Queen Elizabeth Park is having a detrimental effect on people's quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

	Yes	No	Don't know / no opinion
Detrimental effect on people's quality of life	86%	9%	5%
Persistent in nature	85%	7%	8%
Unreasonable	85%	10%	5%
Proposed restrictions are justified	87%	9%	5%

Looking at responses by different age groups shows that those aged 31-50 were less likely to be supportive than other ages. This is particularly true with the 31-40 age group, with a comparatively low 71 per cent in agreement, significantly lower than the 87 per cent overall. Generally speaking the older age groups were more likely to be supportive, though it might be of interest to note that it was the youngest age group who were actually the most supportive.

Table 3: Age profile of respondents to Q2

Age of respondents	Yes (proposed restrictions are justified)	No	Don't know or no opinion
All age groups	87%	9%	5%
30 and under	100%	0%	0%
31-40	71%	23%	7%
41-50	83%	11%	6%
51-60	97%	3%	0%
61-70	94%	0%	6%
71+	88%	0%	13%

Respondents were then given the chance to leave any comments. This was in an open text box so they were not restricted in what they said. [They are included in full in the appendix](#) as they are for all questions in this report.

Q3) Do you feel that drug taking in and around Newcastle Town Centre and Queen Elizabeth Park is having a detrimental effect on people's quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

Again, a clear majority of respondents answered 'yes' to the four parts, with rates of agreement between 85 per cent and 89 per cent

Table 4: Do you feel that drug taking in and around Newcastle Town Centre and Queen Elizabeth Park is having a ...?

	Yes	No	Don't know / no opinion
Detrimental effect on people's quality of life	89%	4%	7%
Persistent in nature	85%	5%	10%
Unreasonable	86%	7%	7%
Proposed restrictions are justified	85%	8%	8%

This time, there was not a clear pattern regarding age groups, but again it might be of interest to note that the youngest age group was the most supportive of the restrictions, but the second youngest age group was the least supportive.

Table 5: Broad age group of respondents to Q3

Age of respondents	Yes (proposed restrictions are justified)	No	Don't know / no opinion
Overall	85%	8%	8%
30 and under	100%	0%	0%
31-40	76%	18%	6%
41-50	87%	8%	5%

APPENDIX 4

51-60	92%	5%	3%
61-70	83%	0%	17%
71+	88%	0%	13%

Respondents were once more given the opportunity to add further comments, and the [comments are included in the appendix.](#)

Q4) Do you feel that the car parks and other enclosed public spaces in and around Newcastle Town Centre are being misused, and that this is having a detrimental effect on people’s quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

There was a high level of agreement here, with little variance, from 73 per cent to 75 per cent answering Yes. There was a significant proportion of respondents who answered ‘Don’t know / no opinion’, more than those who answered ‘No’.

Table 6: Do you feel that the car parks and other enclosed public spaces in and around Newcastle Town Centre are being misused, and that this is having....

	Yes	No	Don’t know / no opinion
Detrimental effect on people’s quality of life	73%	9%	18%
Persistent in nature	75%	9%	16%
Unreasonable	75%	11%	14%
Proposed restrictions are justified	74%	11%	15%

For this question, there was an age-related pattern. Generally speaking it was the older age groups who were most supportive, with 88 per cent of respondents aged 61+ answering yes, though the youngest group (aged 30 and under) were slightly more likely than average to answer ‘Yes’.

Table 7: Broad age group of respondents to Q4

Age of respondents	Yes (proposed restrictions are justified)	No	Don’t know or no opinion
Overall	74%	11%	15%
30 and under	78%	11%	11%
31-40	63%	16%	22%
41-50	67%	14%	19%
51-60	80%	10%	10%
61-70	88%	0%	12%
71+	88%	0%	13%

[Further comments are in the appendix](#)

Q5) Do you feel that vandalism (including defacement by aerosols) in and around Newcastle Town Centre and Queen Elizabeth Park is having a

detrimental effect on people’s quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

Responses to this question were very similar to the previous one. Around three-quarters of respondents were in support for each part, and once more there was a significant proportion who answered ‘Don’t know/no opinion’.

Table 8: Do you feel that vandalism (including defacement by aerosols) in and around Newcastle Town Centre and Queen Elizabeth Park is having a...

	Yes	No	Don’t know / no opinion
Detrimental effect on people’s quality of life	76%	11%	13%
Persistent in nature	73%	11%	16%
Unreasonable	76%	9%	16%
Proposed restrictions are justified	74%	11%	15%

Again, there was a general pattern that the older respondents were more likely to answer ‘yes’, but with the caveat that the youngest age group was actually the most likely to be in agreement.

Table 9: Broad age group of respondents to Q5

Age of respondents	Yes (proposed restrictions are justified)	No	Don’t know or no opinion
Overall	74%	11%	15%
30 and under	100%	0%	0%
31-40	61%	21%	18%
41-50	74%	10%	15%
51-60	76%	11%	13%
61-70	83%	0%	17%
71+	75%	0%	25%

[Further comments are in the appendix.](#)

Q6) Do you feel that begging and/or rough sleeping in and around Newcastle Town Centre and Queen Elizabeth Park is having a detrimental effect on people’s quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

Once more, a clear majority of respondents were in agreement, in particular saying that it were persistent in nature (90 per cent). However, virtually one-quarter (24 per cent) did not support the proposal that the proposed restrictions were justified, answering either ‘No’ or ‘Don’t know / no opinion’.

Table 10: Do you feel that begging and/or rough sleeping in and around Newcastle Town Centre and Queen Elizabeth Park is....?

	Yes	No	Don’t know / no opinion
Detrimental effect on people’s quality	85%	11%	4%

of life			
Persistent in nature	90%	9%	2%
Unreasonable	83%	14%	3%
Proposed restrictions are justified	76%	17%	7%

Here there was no real pattern in terms of age groups. Whereas the lowest rate of agreement was in the second youngest age group (31-40), the second lowest was actually in the oldest age group (71+).

Table 11: Broad age group of respondents to Q6

Age of respondents	Yes (proposed restrictions are justified)	No	Don't know or no opinion
Overall	76%	17%	7%
30 and under	78%	22%	0%
31-40	59%	31%	9%
41-50	82%	16%	3%
51-60	81%	10%	10%
61-70	94%	0%	6%
71+	71%	29%	0%

[Further comments can be found in the appendix.](#)

Q7) Do you feel that anti-social behaviour in and around Newcastle Town Centre and Queen Elizabeth Park is having a detrimental effect on people's quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

Once again, there was a high level of support – between 80 and 86 per cent of respondents answered 'Yes' to each part. However, it might be of interest to note that whereas 86 per cent agreed that it had a detrimental effect on people's quality of life, the proportion who agreed that the proposed restrictions were justified was six per cent lower (80 per cent)

Table 12: Do you feel that anti-social behaviour in and around Newcastle Town Centre and Queen Elizabeth Park is having a...

	Yes	No	Don't know / no opinion
Detrimental effect on people's quality of life	86%	8%	6%
Persistent in nature	80%	9%	11%
Unreasonable	84%	8%	8%
Proposed restrictions are justified	80%	9%	11%

There was no completely consistent pattern between the age groups and their support for the proposed restrictions. But once more, respondents aged 31-40 were the most likely to answer 'no'.

Table 13: Broad age group of respondents to Q7

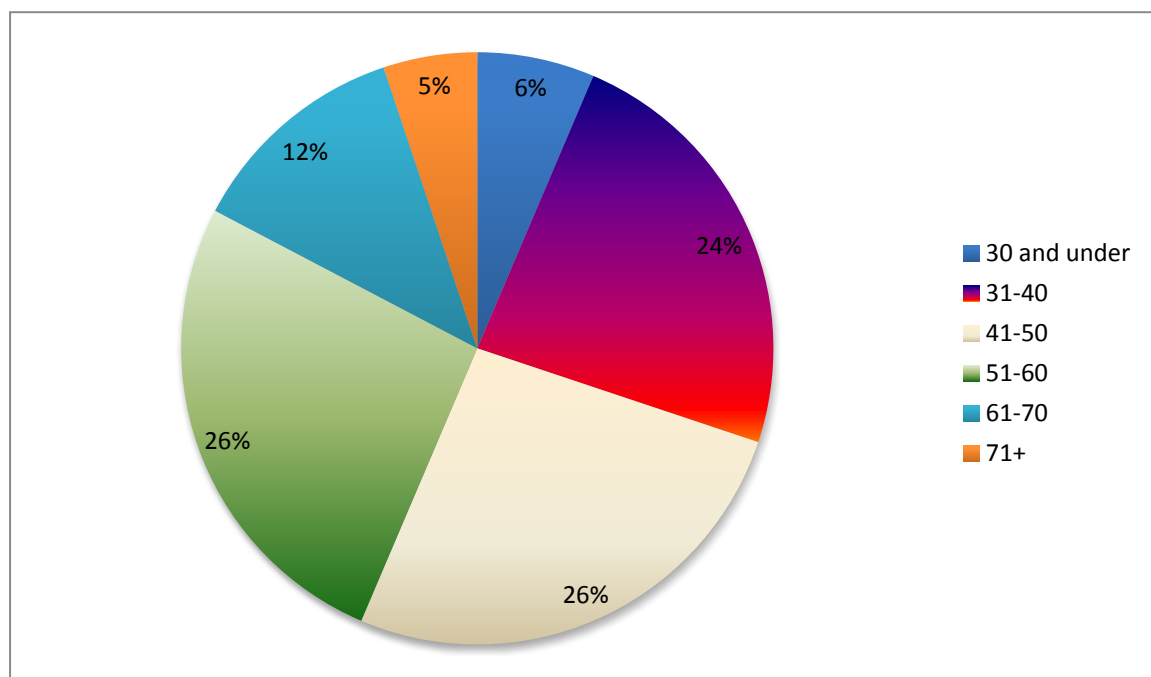
Age of respondents	Yes (proposed restrictions are justified)	No	Don't know or no opinion
Overall	80%	9%	11%
30 and under	90%	0%	10%
31-40	62%	21%	18%
41-50	85%	8%	8%
51-60	82%	5%	13%
61-70	94%	0%	6%
71+	83%	0%	17%

[Further comments are in the appendix.](#)

Age of respondents

Respondents were asked which broad age group they belonged to and 154 told us. This information shows that just over half (52 per cent) were aged 41-60, with only 6 per cent being aged 30 or younger and 5 per cent aged 71 or older.

Table 14: Broad age group of 154 respondents



Appendix

Comments from Question 2) Do you feel that street drinking in and around Newcastle Town Centre and Queen Elizabeth Park is having a detrimental effect on people's quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

Angry beggars, and the drunk shop lifters in the sunken round about always causing a nuisance

APPENDIX 4

Especially in the town centre

Homeless people begging aggressively need to be stopped as does openly drinking and drug taking I agree with all the above and would add that littering from used cans and bottles is unsightly, and does nothing to attract people to the town centre. Plus the cost of cleaning up dangerous broken glass.

I am tired of seeing beggars in Town Centre it is intimidating. In the evenings they shout at you to give them money. I now only come into Newcastle when I have to.

I can look away if I choose when I encounter a beggar, but being verbally abused by them more than once interferes with my enjoyment of the Borough.

I fail to see how all of these actions can be acceptable and why the Council needs to consult anyway. I feel that street drinking in the town has got of hand and is having an effect on attracting visitors into the town centre.

I'd support any activity that will encourage those with complex needs into appropriate services for assistance.

It is slightly annoying. I haven't seen many incidents, nor has it stopped me coming into town It is threatening behaviour - I don't want to go into some shops because I am put off by the people outside. They leave litter everywhere which costs money to remove.

It puts client off coming to visit my business in the town due to it feeling unsafe. It's terrible constant aggressive begging and drunks lying about. Its intimidating and put me off coming into town. I hate using cash points w8th beggars watching all the time. House the genuine homeless get rid of the rest asap

My wife is reluctant to shop in Newcastle and is slowly and consistently using Wolstanton Shopping Mall.

Not enough being done

Not seen any street drinking

People are always drinking in parks and subways; they are a daily sight unfortunately.

Protect the genuine homeless

Please ban outdoor drinking

I don't visit the town if I can help it because of outdoor drinking

Outdoor drinkers intimidate me

Public drinking puts me off visiting the town –it's intimidating and should be banned

Street drinking can make you feel unsafe and wary that unwanted behaviour and noise may follow. There should be measures in place to stop this if necessary.

Subways are the main problem. Access to the town centre is, in many cases, accessible by subway.

It is very off putting to many to have to pass drinks and others of a dubious nature. I am aware of people who will not go through subways. I will not use them at night.

Take an example from some European cities/towns, any drinking external to the premises selling the drink must be consumed within the properties boundary. The objective must be to restrict the street drinking of alcohol-related products in areas other than those associated with the seller.

The problem does not appear to be that bad, but clearly drinking on the streets needs to be stopped and therefore some rules enforced are needed. It depends who you are dealing with; e.g. the homeless need care and attention not fines.

The proposal is a tax on the poor and disadvantaged (although when people buy alcohol they are already taxed). Punitive measures are not justified and do not work, just make miserable people even more miserable, which is not good for anybody. A positive approach, like helping those who need it may be less spectacular or populist, but it is much more effective on the long run.

The sunken roundabout is an awful place to walk through

The town centre was the main reason my wife and I moved to Newcastle. Now, due to the increasing amount of anti-social behaviour we have both cancelled our Gym membership at Jubilee as walking through town or subways is intimidating. We also now tend to eat/drink elsewhere. If it continues to decline we've even thought of moving.

There are a few genuine homeless people who need protection from restrictions but also need help.

There is a lot of evidence of usage in these sites as well as in Lyme Valley Park. There is a lot of detritus.

This does not appear to be a major problem during the day, there are the occasional exceptions.

Thus should also include Grosvenor Roundabout open space as so many people have had issues around that area.

We have a lovely little town and even though we don't have the shops it is still a pleasure to visit so please keep it that way .

Comments to Q3) Do you feel that drug taking in and around Newcastle Town Centre and Queen Elizabeth Park is having a detrimental effect on people's quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

Acceptable and why the Council needs to consult in the first place.

Again for those genuinely homeless need help

Again, help people, do not punish them when they are at a low point

There are always people under the influence of drugs in the subways and shop doorways

It should be banned completely throughout ALL areas within Newcastle-

For those taking the drugs, it is detrimental and therefore rules are needed and to be enforced.

Homeless drinking and drugs and antisocial behaviour needs actions

I don't think fining persistent drug users in the street is the right answer.

I feel unsafe walking to and from work

I have found used syringes and other drugs paraphernalia in our local area, it's really horrible.

I rarely see any and go to town most days

Not sure as you haven't linked to, or summarised the proposal

Residents and visitors will avoid such public spaces

Same as above, detrimental to surrounding businesses and therefore the survival of the town

Seen multiple times drug users in Newcastle town centre and ambulances time wasted on the monkey dust

Should not be tolerated in any public area

The Council are not doing enough to clean the mess, the vagrants and drug users and visitors to our borough

The existing Misuse of Drugs Act legislation should be used and not moving the problem elsewhere

The open smoking of weed in the town centre is common and unacceptable.

The streets smell of weed and the people who are off their tits are scary to be around

Town has become so untidy with homeless leaving their space a mess & none genuine asking for money

Whenever I come across these druggies it frightens me. Spoils my enjoyment of the town and parks

Why should we tolerate such activity in our public places

Yes, justified there needs to be a way to stop drug taking in public areas

Comments to Q4) Do you feel that the car parks and other enclosed public spaces in and around Newcastle Town Centre are being misused, and that this is having a detrimental effect on people's quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

Acceptable but why does the Council need to consult in the first place?

Broken glass in council car parks. Dimly lit.

Car park charges are far too expensive

Car parks should be safe to use otherwise people won't use them, laws are needed.

Charity collecting as well as begging is a problem every time I visit the town centre.

Difficult to say as the proposal is not linked

I avoid bringing my car into Town at night so I don't have to use the Car Parks.

I feel uncomfortable walking through subways as I never know who will be begging/sleeping

I feel unsafe coming to and from work and avoid these areas, even when I am with a group of people.

I have never noticed any problem on car parks, but believe there is occasionally a problem

If a person is genuinely homeless, and wants to be helped, I feel that the authorities should help.

Illegal activity must not be tolerated.

Midway car park is a scary place even during the day.

Please include subways in any enforcement

Private parking firms need proper regulation

Seems the subways only use is drug abuse.

The main problem is in the car parks, and in the Midway in particular the amount of litter

Very unhappy about the parking situation at Lyme Valley park particularly near to the hospital.

Comments to Q5) Do you feel that vandalism (including defacement by aerosols) in and around Newcastle Town Centre and Queen Elizabeth Park is having a detrimental effect on people's quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

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Any action to get rid of this behaviour is acceptable.

Difficult to say yes or no; there is definitely a problem, but not on a large scale

Graffiti particularly in car parks is ugly and depressing and spoils the town. Yes it's justified, it should be stopped.

I can't say as I have particularly noticed this as being an issue

I have not noticed it being any worse in recent years

Large gangs of teens causing a nuisance to business in the town centre outside McDonald's and the Vue

Lowering the tone of our beautiful town.

Mainly being kept under control

Makes town look horrid

Take as a model the actions taken by the authorities in Singapore.

The multi storey carpark is awful

This does appear to be worse now that it was last year

Vandalism and littering are a constant problem in all areas and needs to be addressed.

Vandalism causes damage to property.

Vandalism includes the build-up of cast-off detritus, smashed bottles, vomit, etc

We should have more Police presence and fines issued to offenders

Yes, the "tagging" is horrible and the cleaning off of reported tagging is not done to a good standard.

Comments to Q6) Do you feel that begging and/or rough sleeping in and around Newcastle Town Centre and Queen Elizabeth Park is having a detrimental effect on people's quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

Again the sight of sleeping bags, tramps etc is making people such as my wife reluctant to shop in Newcastle. She will only visit the shops if I am with her.

All rough sleepers should be removed from all areas of the town centre. It should be an offence to harass shoppers for money. We don't want to see dropouts getting drunk and being sick. Disgraceful. In addition people are getting mugged. Who wants to run the risk of being attacked. Folk would rather stay in or go elsewhere. Thank you.

Anti-social behaviour in and around the town is becoming more common as the punishment is non-existent and dispersal is a challenge for the police and PCSO's.

As stated before, genuinely homeless should be helped.

Banning rough sleeping in a predominantly commercial area will simply move it elsewhere. People have to sleep, if you as a council do not have the ability to find them somewhere to sleep, as is your responsibility, what gives you the right to ban them from trying to find somewhere safe to rest?

Couldn't we give the homeless a temporary place to sleep? Like your old council office that is derelict and standing empty! I'm sure this would remove them from the streets and they

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wouldn't have to be homeless! Sure we can feed them by donations! Stops the begging if it's good and shelter they need.

Difficult to say however I would suggest that legislating is not going to solve this issue, whereas giving people purpose and a safe space might discourage them from sitting in shop doorways all day.

Don't know what the restrictions are and more positive action to help the people begging and living on the street at night and in the day is needed. That is available to respond over 24hrs unlike the rough sleepers service who just tell you they will be out, "tomorrow between 10 and 2". The people you call about are unlikely to be in the same place the next day. It needs to be an immediate response. Services to help with the drug and alcohol problems and social exclusion are also needed. Oh wait of course the O'Connor centre was shut and sold for housing.

Every street corner there begging

Homeless need help not persecution

House the genuine homeless ban the aggressive beggars ASAP

I feel more should be done to help genuine homeless people rather than criminalising them

I feel nervous of walking through the town especially early morning due to rough sleepers but the main problem is from so called rough sleepers who beg for money in the day but are not to be seen sleep in rough early morning.

I feel really intimidated walking through the subway areas, and have to take longer routes to work. I am tired of being approached all the time.

If I hadn't got to come to work in town centre I would not go into Newcastle, its people off, swearing, not feeling safe, terrible, the town used to be a lovely market down not anymore, maybe visit leek Town centre to see how that has become again a lovely place to shop. Reduce shop rentals, no more charity shops, bring back the market, reduce parking fees,

in relation to begging restrictions should be put in place that they are not allowed to sit/beg outside banks/post offices

Including the subways

Instead of persecuting these people Newcastle council should be helping them!!!

It is detrimental on the life of those that are homeless more than others. Is a result of austerity but fining is not the solution to the real problem.

It is scary and they are very persistent. It makes uncomfortable and I try to avoid being near people who put me in this difficult position. There is a much higher degree of people sleeping rough in shop doorways and leaving rubbish as well as urinating etc. Very concerning

It's terrible and making people avoid the town it needs banning

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It's getting very tiresome seeing the commuter beggars in Newcastle town centre. Amazed the council allow it in the first place.

It's hard to tell who is genuinely homeless and who isn't. Some of them can be quite persistent, abrupt and very rude

Lumping homelessness in with vandalism and drug abuse is callous in the extreme. People rarely *choose* to sleep in doorways in winter. Rough sleepers are not a group to be feared, but to be helped. Cuts to services supporting homeless people (such as Arch) have increased the number of rough sleepers in Newcastle - criminalising these people just makes it harder for them to re-integrate into society.

More needs to be done to help the homeless but I've also noticed an increase in beggars that are very vocal and very off putting to walk past, these need to be moved on.

More needs to be done to help with rough sleepers - it seems ridiculous to fine somebody. There are significantly more visible rough sleepers (not sure if they've been moved on from somewhere else or were staying somewhere less prominent before). The answer isn't to fine them or move them to somewhere else though.

Most of the vagrants are drug users and the local safe houses are not doing enough to keep them off our streets

Most of these beggars are not homeless they live in flats in and around Newcastle easy money for them begging

Needs to be monitored ...as...are they all homeless

Needs to be more support for these people in Newcastle, where can homeless people go for help?

Never seen so many rough sleepers -

No one wants to see people camped out in these areas

Out of hand

Punishing those who have nothing is despicable, and any council that does it is not fit for purpose. Councils are just a means to manage the commonwealth, they are not above human rights or values, and flogging those who cannot defend themselves is abhorrent.

Restrictions on begging should be confined to aggressive begging. Any person who's begging is causing a problem should be referred to a homeless charity. The council must strike a balance between protecting the public and giving a helping hand to those in need

Rough sleepers need help by finding them a place to live and be safe

Rough Sleepers need somewhere to stay. Perhaps NULBC could do their best to either provide something or join forces with someone/group who can.

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Rough sleeping has a detrimental effect on those actually sleeping rough, help needs to be given to those people not fining, how can they be expected to pay a fine when they can't even afford a roof over their head.

Rough sleeping is not a choice for some. You cannot discern genuine from imposters. The public can CHOOSE to avoid or engage with rough sleepers and beggars.

Rough sleeping we are all sympathetic too. However, aggressive begging and open drug use is unfortunately something I see in town every single day.

Should not be allowed at all especially outside bank cash machines they target the elderly

Some of these people need help.

The beggars who I have seen and heard who then say on their phones I will be home in an hour are having a detrimental effect on Newcastle. However the genuine homeless people sleeping on the street in all weathers -Its detrimental to their quality of life and it is not acceptable they in this day and age people are ignored or beaten up when sleeping on the street. Just because others are pretending to be homeless.

The begging is a big problem and getting harassed for money when you have small children with you makes you feel unsafe

The closing of the Workhouse System was predicated on local authorities replacing them with alternative facilities. BUT NOT GIVING UP ON THEIR RESPONSIBILITIES TO PROVIDE ACCOMMODATION AND TO ENSURE IT IS TAKEN OR THE ROUGH SLEEPER MOVES ON.

The concerns by lots of residents are that many people who claim to be homeless are not actually homeless.

The council need to do something about more social housing

The worst of all.

There has to be action taken against individuals who persistently and aggressively beg but I appreciate this is a last resort once other offers of help have been exhausted.

There is a problem with those who beg, but it is not affecting my quality of life one bit; I am concerned that they should receive the care and attention they need and understand that some organisations know who they are and given resources can do something about it. They should NOT be fined.

These people are not homeless - they come into the town each day and prey upon law abiding residents. I avoid parts of the town now as I don't want to have to walk past them. They leave litter which makes Newcastle look a dump.

They give you nothing but abuse or there always arguing or swearing.

This is an area where individual needs should be addressed. The question is who can do it & what resources they have? The voluntary sector has limited resources & money. Other

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authorities have sensible solutions including providing temporary accommodation in empty buildings. Can we learn from their experience?

This is becoming a huge problem in Newcastle - it puts me off visiting the town!

This is getting worse, the same people are begging every single day and there are no police or PCSOs to move them on despite ringing through to the non-emergency number

Town has become so untidy just lately with homeless not keeping their space tidy & the amount of none genuine beggars is becoming intimidating, i also wouldn't dare to use a subway anymore especially the queens gardens which is sad as council keep the gardens lovely

We should work with organisations like Manna House (<http://www.mannahouse-hanley.co.uk/>) and similar in the area to provide support rather than fine people for rough sleeping. Identifying those who are truly in need and giving them the support which they need. Not just fining them, the national press this would generate would bring shame to the people of Newcastle and make us a laughing stock. It happened in Stoke with that approach let's not make the same mistake that they made.

Yes please get rid of the beggars

Yes this has stopped me and my family from coming into Newcastle town

Yes, justified. For whatever reason people beg or sleep rough, other people should be able to visit the town centre in peace.

Comments to Q7) Do you feel that anti-social behaviour in and around Newcastle Town Centre and Queen Elizabeth Park is having a detrimental effect on people's quality of life, is persistent in nature, is unreasonable and that the proposed restrictions are justified?

Anti-social behaviour is making some areas of the inaccessible

Any effort to clean up the town and outskirts is an effort well-made and may encourage some people to venture back into town.

Are there orders as let's face it they're all still there? The town is not being policed it's a disgrace

As a starting point, then if persistent abuse further action needs to be taken.

Being homeless should not be treated in the same way as antisocial behaviour. I'm upset that NULBC is lumping together homeless people with vandalism

Definitely. I was actually the victim of an ASB incident not long ago, when leaving work, just after 5pm. A man, who was part of a group of 3/4 others, outside Wetherspoons. Really kicked a full box of I don't even know what, which hit me on my hand, splitting my thumb nail down the middle. If that had hit me in the face or head it would have knocked me out, or caused injury. He then proceeded to really kick it into the road, which could have hurt someone else, or damaged a car. All of those in the group looked to be under the influence of Alcohol/Drugs or both. The town centre seems to be getting worse, I feel really uneasy walking around town in day light. I dread to think how it's making elderly people feel. It also

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doesn't give a good impression to anyone coming to the town for the first time. Other than coming into town for work, I avoid it at all costs. I don't know if it's still happening, but I have previously noticed large groups of teenagers congregating on the market stalls just after 5pm onwards, causing a nuisance. Shouting, swearing, swerving around people on bikes, throwing things.

Depends if and who would patrol the town centre needs to be continuing

Entirely, particularly if people have worked hard all their lives they deserve to have peace and feel safe at home and when visiting towns and parks.

Except with respect to rough sleepers. I personally find the large groups of mannerless teenagers who roam the Town Centre and scorn Older people to be a greater nuisance.

Existing rules are fine, just need enforcement

I think it is appropriate to ensure that people do not congregate and cause upset to people. My biggest concern is where will they go next if you push them out of town, this will not resolve the underlying issue of people having nowhere to go and no money. I don't agree with fining them as this will not do anything if they don't have the money. It will create additional work and cost without any realistic chance of recovery.

I think those that are genuinely homeless need protection & help. Although those that are just acting 'the maggot' need to have restrictions placed upon them

If the beggars are aggressively harassing people by getting up close and/or following people, then that needs to stop, but if they are just lying or sitting there and quietly asking, that is not a problem to the public. They need care and help and of course then they can be persuaded to behave differently, but at the moment it has no harmful effect on me or other people whatsoever.

In certain circumstances I think it is required so will hopefully give the Council the tools to deal with some of the issues in the town centre. It's terrible to see!

Instead of banning these things. Why are we not trying to address them. Provide more homeless shelters, mental health services on the street. Place for teenagers to hang out. Etc. Banning will just move the problem somewhere else. Why not make changes to improve people's lives instead of just criticising them.

More powers to stop ASB with regards drinking and drug use across the borough needed. Please look towards Silverdale and the mineral line as well as town centre

Newcastle is a town that I now enter with trepidation. It never used to be like this, whatever the social concerns that I have for homeless persons and beggars, it is nevertheless detrimental. I go shopping in Chester or Nantwich whenever possible as these towns feel less threatening.

No (Three comments said 'no')

No more orders need to be introduced to deter antisocial behaviour in the town.

No problem with Orders to control problem Drinking and / or drugs, but I think the Borough, County Council and national Government need to address the underlying causes of rough sleeping. PSPO's are not the answer to this situation!

No. Fining people with very little money does not seem like the most sensible answer. I'm not sure what the right solution is or whether these people are open to being helped.

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However, I doubt that fining people would bring the desired outcome or that the fines would be paid.

No. I spend a lot of time in Newcastle town centre and I have never seen a big problem with any of these behaviours.

No. It's a constant threat to safety and nothing is being done.

Not at all, just their proposal is insulting to anybody who cares even a little bit about the welfare of their fellow citizens. Because even if they have addiction problems or do not have a place to sleep they are still human beings and should be treated as such. Punishing those who are vulnerable is only done by bullies, and being a bully it is socially unacceptable and illegal.

Not at all. PSPO orders to deal with such a small numbers of incident is a sledgehammer to crack a nut

Not enough us being done to tackle the long term issues

Not in the case of rough sleepers and beggars. Which should not be equated with vandalism and anti-social behaviour.

Of course

Only if the Council makes sufficient budgetary allocation for the proposals to be enforced. Failure to enforce the proposed provisions is worse than making no Orders in the first place and simply brings the entire Council into disrespect. QUOTE: NEVER GIVE AN ORDER IF ONE DOES NOT EXPECT IT TO BE CARRIED OUT OR ENFORCED.

Only if they are carried out and not used as an empty threat.

Only if they are enforced. Powers without supervision are pointless.

Please help don't punish

See my comment on begging and rough sleeping. The PSPO orders should be administered with a degree of understanding of all the issues, and that is not enshrined in the current proposals

The making is reasonable however, these things need enforcement because they are useless otherwise.

The orders are proportionate however they do not solve the problem they will only move the problem elsewhere.

The orders are trying to cover too much, there are very different issues at play and it pains me to live in an area where the council are callous enough to ban rough sleeping.

The situation is not as bad as twitter etc would have us believe. People need help however often the help is from well-meaning do-gooders making the situation worse.

The survey is fundamentally flawed and biased in nature, it is clearly written a way that solicits and expects certain answers. As such it clearly implies what decision has already been taken. I object in particular to draconian actions in relation to rough sleeping, such people are a symptom and moving them on from one place to another does not tackle the issue. It is not acceptable to approach these matters in the ways you wish to go. The whole policy needs a rethink.

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The whole experience of going into town is an unpleasant one of late and I feel very intimidated and vulnerable when I go on my own. Something needs to be done

There are 2 council employees who walk around in purple t shirts!! Not actually seen them do a lot, maybe funding cud be better spent on PSPO orders,

There are similar problems in the out-lying districts also, so these should also be tackled in my opinion.

There needs to be powers to react when the public at large feel threatened or intimidated. However there needs to be sufficient funding and personnel resource available to make any initiative successful, therefore give the public confidence in the process and a sense of security

Totally Justifiable and proportionate to the problem.

Totally justified to ensure the general public feel safe when visiting the town and are able to Enjoy our wonderful town.

With regards to the Draft Legal PSPO Orders for Newcastle...

Yes (43 comments said 'Yes)

Yes - extremely so. Something must be done, and fast. I was threatened by a 'beggar' in Southampton recently which was a terrifying experience. They have not tackled the problem. If Newcastle doesn't hit this head on then it will end up the same.

Yes - there are on-going issues of ASB in both of these areas and there needs to be enforcement controls in place to manage the issues.

Yes absolutely, the town centre has gone downhill and is not a nice place to visit anymore. No one should have to be constantly asked for money when they come in to town to work or shop. The professional beggars and drinkers, drug takers need to be dealt with or the town will go the same way as stoke and Hanley.

Yes as long as the enforcement is followed up to ensure this makes a statement that the issues as been dealt with.

Yes as long as they are adhered to/the council ensures it keeps its promises

Yes as long as you back this up with actual police in the town Centre! To move them on.

Yes as we have a lot of undesirable people in the area plus some who visit to solely exploit the public.

Yes but should also be extended to other parts of town.

Yes but they need to be robustly enforced

Yes except for Rough Sleeping and unjustified begging.

Yes I live next door to Queen Elizabeth park I do not like walking through there or allow my kids to walk through.

Yes it is justified the amount of youth's hanging around the stones and their thuggish behaviour puts me off setting foot in Newcastle of an evening, more police presence and harsher deterrents are warranted especially with the escalating levels of violence shown lately.

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yes it will help it become a more pleasant environment and safer

Yes It's a very uncomfortable place to be in both during the day but even more so at night. I no longer shop or visit restaurants or the cinemas in town because of how I feel

Yes it's the same ones aggressively begging and intimidating people ban drinking in public space especially sunken Goose Street roundabout I hate walking through there

Yes lack of action to address issues has allowed the problem to go on for too long. People are giving money to the beggars which encourages them to return on a daily basis.

Yes move them in Newcastle used to be lovely to walk around now people are starting to avoid the town centre

Yes these people need to be moved on.

Yes they are-but what are you doing about the ASB in the Kiln public house - on 8 Feb the pub had to shut early due to fighting in the pub, and there is constant issues of fighting/drug taking in the pub, and unfortunately when the doormen eject people it continues outside (it doesn't help there are benches that people can sit on/congregate after being ejected

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