

LICENSING & PUBLIC PROTECTION COMMITTEE

Tuesday, 17th January, 2023
Time of Commencement: 7.00 pm

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|-----------------|---|--|--|
| Present: | Councillor Andrew Parker (Chair) | | |
| Councillors: | Whieldon Barker MBE Heesom Sweeney | Wilkes Skelding Adcock Dymond | Allport J Williams G Williams Brown |
| Apologies: | Councillor(s) S White and Wright | | |
| Substitutes: | Councillor Wendy Brockie | | |
| Officers: | Matthew Burton Geoff Durham Anne-Marie Pollard Gillian Taylor Michelle Hopper | Licensing Administration Team Manager Mayor's Secretary / Member Support Officer Solicitor Housing Manager Senior Partnerships Officer | |

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

There were no declarations of interest stated.

2. **MINUTES OF A PREVIOUS MEETING**

Resolved: That the Minutes of the meeting held on 13 December, 2022 be agreed as a correct record.

3. **RELAXATION OF LICENSING HOURS FOR HIS MAJESTY THE KING'S CORONATION - LICENSING ACT 2003 CONSULTATION**

Members considered a report which informed them of a consultation from the Home Office seeking to allow certain licensed premises to extend their opening hours during the weekend of His Majesty the King's Coronation in May.

The consultation included seven questions, outlined at paragraph 2.4 of the report.

Resolved: That the report be noted and the consultation response be supported.

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4. UPDATING OF SECTION 182 GUIDANCE TO MAKE REFERENCE TO SPIKING - LICENSING ACT 2003 CONSULTATION

Members considered a report which informed them of a consultation by the Home Office seeking opinion as to whether the Section 182 guidance should be amended to include references to spiking in licensed premises.

The consultation period had ended and a response had been submitted, in consultation with the Chair and Portfolio Holder. The questions and responses were outlined in paragraph 2.4 of the report.

It was asked who would provide and certify the safeguarding training. Nothing had been set as yet but the most sensible approach would be for a national course to be set up with approved providers.

It was queried whether the Council would receive government funding to help to police the enforcement of this. In addition, what would happen to premises if they were found to have persistent spiking offences committed. As this was currently just a proposal that had been consulted upon, there had been no discussions regarding funding. Regarding enforcement, this could be carried out by council officers or police, depending upon the seriousness of the matter.

Resolved: That the report be noted and the consultation response be submitted.

[Watch the debate here](#)

5. MINUTES OF LICENSING SUB COMMITTEE MEETINGS

Resolved: That the Minutes of the meetings held on 21st December, 2022 be received.

6. DECLARATIONS OF INTEREST IN RELATION TO PUBLIC PROTECTION MATTERS

There were no declarations of interest stated.

7. PUBLIC SPACE PROTECTION ORDER PUBLIC CONSULTATION UPDATE

Members considered a report which provided a draft copy of a Public Space Protection Order (PSPO) for Newcastle-under-Lyme, specifically for gated public rights of way. The report sought approval to carry out a six week public consultation.

The PSPO would cover Beattie Avenue, Cross Heath, High Street, Newchapel and off Church Lane, Wolstanton.

It was asked if, once these areas had been audited and PSPO's produced, other areas would be looked at. The order was specifically looking at public rights of way as defined by Staffordshire County Council so there was scope to look at other areas by considering the evidence and cost implications.

It was queried as to what form the consultation would take. It would predominantly be an online consultation but letters would also be sent out to all residents.

It was stated that the ward Councillors had not been invited to the meeting regarding Beattie Avenue. This had been an oversight and apologies were given. The Chair requested that, for future projects, ward Councillors be invited to any meetings.

A query was raised regarding vehicles using public rights of way and that there were certain types of gates that could stop quadbikes, motorcycles entering certain areas. There were gates that could achieve this although if it was a bridleway as well as public right of way, if a horse could pass through then motorcycles could too.

Resolved: That officers be authorised to initiate a public consultation for a proposed PSPO for the Borough of Newcastle-under-Lyme.

[Watch the debate here](#)

8. PUBLIC SPACE PROTECTION ORDER PUBLIC CONSULTATION UPDATE

Members considered a report regarding a consultation that had taken place on two Public Space Protection Orders (PSPO's) for Newcastle Town Centre and Queen Elizabeth Park.

Since the previous meeting of this Committee, a further consultation had taken place and the results were included at appendix 3.

It was asked whether there would be a programme to look at other areas to apply PSPO's. PSPO's were only one of the measures that could be used to address anti-social behaviour. However, displacement issues did need to be considered.

It was queried whether more people were required to go out and enforce the areas. Enforcement would be a partnership approach with the police and the Council's new Mobile Multi-Functional Team.

Resolved: That the PSPO's for Newcastle Town Centre and Queen Elizabeth Park be adopted in line with the constitutional arrangements.

[Watch the debate here](#)

9. UPDATE ON RESULTS OF TAXI LICENSING APPEALS

Members considered a report giving an update on all Taxi Licensing appeals that had been considered since last reported to this Committee.

There had been two Magistrate's Court appeals, one of which had been adjourned several times and was now relisted for 17th April, 2023. The second one was dismissed and was now awaiting an appeal date to be set for the Crown Court.

There had been four Crown Court appeals, three of which were adjourned and the fourth one had been withdrawn.

Resolved: That the report be noted.

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10. MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETINGS

Licensing & Public Protection Committee - 17/01/23

Resolved: That the Minutes of the meetings held on 14 December, 2022 be received.

11. URGENT BUSINESS

There was no urgent business.

12. DISCLOSURE OF EXEMPT INFORMATION

There were no confidential items.

**Councillor Andrew Parker
Chair**

Meeting concluded at 8.07 pm