

LICENSING & PUBLIC PROTECTION COMMITTEE

Monday, 12th October, 2020
Time of Commencement: 7.00 pm

Present: Councillor Simon White (Chair)

Councillors:	Graham Hutton	Tony Kearon	Jill Waring
	Mark Olszewski	Andrew Parker	Gillian Williams
	John Cooper	Stephen Sweeney	John Williams
	Gill Heesom	June Walklate	Ruth Wright
	Sue Moffatt		

Officers:	Nesta Barker	Head of Environmental Health
	Matthew Burton	Licensing Administration Team Manager
	Anne-Marie Pollard	Solicitor
	David Beardmore	Environmental Health Team Leader
	Denise French	Democratic Services Team Leader

25. DISCLOSURE OF EXEMPT INFORMATION

Resolved: That the public be excluded from the meeting during consideration of 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.

26. MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETINGS

Resolved: That the Minutes of the meetings held on 9th September, 22nd September and 30th September be received.

27. APOLOGIES

An apology for absence was received from Councillor Sylvia Dymond and Councillor Sue Moffatt attended as substitute.

28. DECLARATIONS OF INTEREST IN RELATION TO LICENSING MATTERS

There were no Declarations of Interest stated.

29. MINUTES OF PREVIOUS MEETING

Resolved: That the minutes of the meeting held on 4th August be agreed as a correct record.

30. STATEMENT OF LICENSING POLICY 2020-2025

The Committee considered the report of the Head of Environmental Health outlining the results of the public consultation on the draft Statement of Licensing Policy. The Licensing Act 2003 required the Council to revise its Statement of Licensing Policy by January 2021 and every 5 years thereafter.

The draft Policy had been submitted to the Committee on 4th August with a number of proposed amendments including:

(a) Updates to reflect changes to Licensing Guidance and best practice, including;

- Amended timescales,
- Changes to cumulative impact assessments,
- Changes to temporary event notices
- Updated standard conditions
- Updates to reflect corporate enforcement policy
- Updated ages for challenge 21 to 25
- Updated contact details.

(b) Typographical amendments.

The draft Policy had been approved for public consultation. There had been a 6 week consultation period which had received two responses, both of which were attached to the report.

Resolved: that

- (a) The results of the public consultation be received; and
- (b) The Statement of Licensing Policy be approved for submission to Council on 18th November 2020 for adoption.

31. CUMULATIVE IMPACT ASSESSMENT

The Committee considered a report of the Head of Environmental Health on the process for establishing a Cumulative Impact Assessment (CIA) to support the Statement of Licensing Policy. This would be a standalone 'live' document that could be amended when required and would replace the current Cumulative Impact Policy (CIP).

The Committee had resolved in April 2019 that the current CIP continue pending transition to a CIA. The CIP covered an area of Newcastle Town Centre. Since the decision to transfer to a CIA the public health emergency caused by Covid-19 had impacted on footfall and economic activity within the town centre area that was subject to the CIP. There was a need to reconsider the evidence and rationale for a CIA.

The process to adopt a CIA would be to consider evidence of the need for one and undertake a period of consultation with the same persons who required to be consulted on the Statement of Licensing Policy. The Police would be invited to a future meeting to present evidence on the need for a CIA.

Resolved: that

- (a) The process for establishing a Cumulative Impact Assessment and the difficulties created by the current Public Health emergency be noted;
- (b) The current Cumulative Impact Policy continues in its present form pending the completion of a Cumulative Impact Assessment; and
- (c) A report be submitted on this matter to the meeting of the Committee in January 2021.

32. LICENSING FEES AND CHARGES 2021-2022

The Committee considered the report of the Head of Environment Health and Licensing Administration Team Manager setting out proposed fees to be charged in relation to the licensing of Scrap Metal Dealers, Gambling and Sexual Entertainment Venues. The report set out the current fee, proposed fee for 2021/22 and any percentage difference. The Council was not allowed to make a profit from fees and was required to make charges reasonable and proportionate to the cost of the processes associated with issuing a licence.

Resolved: that the proposed fees to be charged for the licensing of Scrap Metal Dealers, Gambling and Sexual Entertainment Venues for 2021/22 be approved.

33. MINUTES OF LICENSING SUB COMMITTEE MEETINGS

Resolved: That the Minutes of the Meeting of the Sub-Committee held on 23rd September 2020 be received.

34. DECLARATIONS OF INTEREST IN RELATION TO PUBLIC PROTECTION MATTERS

There were no Declarations of Interest stated.

35. STATUTORY TAXI AND PRIVATE HIRE STANDARDS AND POLICY

The Committee considered the report of the Head of Environmental Health outlining statutory Taxi and Private Hire Standards introduced by Government and the amendments to the Council's Taxi Licensing Policy 2019 - 2021 that flowed from these amendments.

The report outlined the proposed changes with page reference numbers in the Policy. The majority of changes were required by Government and other changes were not considered detrimental to applicants but would resolve some anomalies particularly in relation to DBS checks. It was proposed that a short period of consultation be held lasting for 4 weeks.

Resolved: that

- (a) The proposed amendments to the Taxi Licensing Policy 2019 – 21 arising from statutory standards be noted;
- (b) The minor amendments to the Taxi Licensing Policy 2019 – 21 arising from typographical errors and Member feedback from Public Protection Sub Committees be noted;
- (c) A consultation period of 4 weeks be approved to allow feedback from interested parties on the proposed amendments to the Policy; and
- (d) A report be made to the Committee on feedback prior to approval of the Taxi Licensing Policy 2021 – 23 including agreeing a date for implementation.

36. DRAFT TAXI FEES AND CHARGES 2021-2022

The Committee considered a report of the Head of Environmental Health and Licensing Administration Team Manager on proposed taxi and private hire fees for consultation. The Head of Environmental Health explained that the majority of fees were proposed to increase but not substantially; the reasons for this were mainly due to increased staffing costs across the Authority and the decrease in the total number

of licences. A table within the report outlined the current fee; proposed fee/charge and the percentage change.

Resolved: that

- (a) The proposed fees as set out in the report be sent out for consultation; and
- (b) Following the consultation period a report be brought back to the Committee for consideration.

(Note: Councillors Sue Moffatt and John Williams asked that their names be recorded as voting against resolution (a) above).

37. DOG CONTROL ORDER

The Committee considered a report of the Head of Environmental Health requesting that the current Dog Control Public Spaces Protection Order be extended for a further period of three years. The purpose of Dog Control Orders was to set out the rules which dog owners must follow when walking their dogs in public places. The current Order was due to expire on 21st October 2020. A consultation period had been held between 5th August and 16th September 2020 through a variety of methods; there had been 64 online responses received plus comments on The Sentinel website following an article published about rules for dog walkers and inviting comments.

The report outlined the six controls in force – dog fouling; means to pick up; dogs on leads; dogs on lead by direction; dog exclusions; and maximum six dogs. The consultation had received strong support for continuing the current controls. There had also been 23 responses that the maximum number of dogs walked at one time should be reduced from 6 dogs to around 3-4. The report explained that DEFRA guidance was that where a maximum number of dogs was set it should be six and any reduction would need to be subject to further consultation.

Resolved: that the current Dog Control Public Spaces Protection Order be approved for a further 3 year period, subject to further consultation on the control relating to maximum six dogs and a report be brought back on this matter to consider options for reducing the maximum number of dogs.

38. URGENT BUSINESS

The Committee considered the Public Protection Sub-Committee rota. The Head of Environmental Health explained that the rota had been amended to reflect membership changes approved at the Council on 23rd September.

She also suggested reviewing times of meetings to assess how effective they were.

Resolved: that

- (a) The Public Protection Sub-Committee rota be approved and circulated to all Members of the Committee; and
- (b) The Head of Environmental Health submit a report to a future meeting on the timings of Sub-Committee meetings and their effectiveness.

(Note: Under Section 100B (4) of the Local Government Act 1972, the Chair had agreed to this item being considered as urgent business due to the number of Sub Committees taking place prior to the next scheduled meeting of this Committee).

Chair

Meeting concluded at 8.05 pm