

**LICENSING & PUBLIC PROTECTION COMMITTEE**

Tuesday, 12th December, 2023  
Time of Commencement: 7.00 pm

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**Present:** Councillor Joan Whieldon (Chair)

Councillors:	Sweeney	Adcock	J Williams
	Wilkes	Dymond	G Williams
	Skelding	Wright	Brown

Apologies: Councillor(s) Parker, Barker MBE, Heesom and Allport

Substitutes: Councillor David Hutchison (In place of Councillor Gill Heesom)  
Councillor John Tagg (In place of Councillor Lilian Barker MBE)

Officers:	Matthew Burton	Licensing Administration Team Manager
	Geoff Durham	Civic & Member Support Officer
	Darren Walters	Team Leader Environmental Protection

Also in attendance:

**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 24 October, 2023 be agreed as a correct record.

**3. MINUTES OF LICENSING SUB COMMITTEE MEETINGS**

**Resolved:** That the Minutes of the meeting held on 24 October, 2023 be received.

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

There were no declarations of interest stated.

**5. PRIVATE HIRE & HACKNEY CARRIAGE FEES & CHARGES 2024-25**

Consideration was given to a report asking members to consider the proposed taxi and private hire fees following a consultation with all licence holders, trade representatives, vehicle hire companies and trade associations. No responses were received.

The Council's Licensing Administration Team Leader referred members to paragraph 2.5 which outlined the proposed fees and charges which remained unchanged from the previous meeting.

**Resolved:** That the proposed taxi and private hire fees for 2024/25 be approved.

[Watch the debate here](#)

**6. AMENDMENT OF TAXI LICENSING POLICY PROVISIONS IN RELATION TO TINTED WINDOWS**

Consideration was given to a report requesting that members consider the proposed amendment to the provisions within the taxi licensing policy in relation to tinted windows.

The Council's Licensing Administration Team Leader advised that the Council's current taxi licensing policy was introduced in 2019, since when there had been a requirement that all rear windows had an allowance for a minimum of 35% light transmission through them.

Members' attention was drawn to paragraph 2.3 of the report which stated that during a consultation it was found that there was no evidence to suggest that public safety was compromised by vehicles having tinted windows or privacy glass.

At recent trade meetings, an issue had been identified when trying to purchase new vehicles that met the Council's trade requirements, it was difficult to find ones that did not have factory fitted tinted windows. As a result, the condition within the Council's policy had been reviewed and it was recommended that the current condition be removed and to be replaced with a condition that allowed vehicles to have tinted windows and privacy glass provided it was to the manufacturers original specification and fitted at the time of manufacture.

The following recommendation had been put forward by officers:

*c) Remove the current condition and allow all vehicles to have tinted and privacy glass in the rear passenger windows. If this option is favoured then there is a further decision to determine whether vehicles*

*(i) can only have factory fitted tinted/privacy windows and not aftermarket tinting*

Councillor Brown asked if there had ever been any safeguarding issues in relation to tinted windows and for what reasons would a driver make their windows more tinted than those that were factory fitted.

The Licensing Administration Team Leader stated that as far as he was aware, within Newcastle and the wider area there had been no issues with safety implications. In terms of the reasons for wanting tinted windows, it could be that they like that style or wanted to do something against public safety.

Councillor Sweeney agreed with the officer recommendation at 5 (c) i as most newer cars now came with tinted windows as standard.

Councillor John Williams asked what percentage determined a tinted window and blackout window.

The term tinted or blackout was used for windows that were darker than that which was legally permissible for the front windows. In law there was a specific level of light that had to be able to be transmitted through the front windscreen, driver and passenger windows but there was no legal requirement for any windows in the rear half of the vehicle.

The Chair asked for clarification as she believed it to be anything up to 30% for factory fitted windows. Taxi drivers could no longer have a vehicle older than 7 years and therefore, all new vehicles would have tinted windows. Therefore it would be unjust and at odds with the Council's policy.

It was confirmed that there were some newer vehicles that did meet the Council's policy, however the majority of vehicles did not and was therefore becoming increasingly difficult for Members of the trade to purchase new vehicles that met the Council's policy criteria.

The government guidelines for light transmission in vehicles was that the front windscreen had to let in 75% of light and front side windows had to let in at least 70% but there was no rule for the other windows.

The Chair stated that it was unfair to put that burden onto taxi drivers to find vehicles that fulfilled the Council's policy and agreed that the officers recommendation above was the ideal one.

Councillor Gill Williams agreed that blacked out windows would be fine for chauffeur driven vehicles but not for taxis as they carry vulnerable people.

The Chair asked for clarification that the report was not asking for completely blacked out windows within the recommendation.

The Licensing Administration Team Leader stated that the recommendation would allow for that as long as they were factory fitted.

Councillor Hutchison referred to paragraph 2.4 which stated that drivers were finding it difficult to source vehicles which complied with the Council's guidelines and were therefore going elsewhere but operating within this area.

Councillor John Williams agreed with tinted windows but not with blacked out windows for passenger safety reasons. Councillor Sweeney agreed with the comments in respect of fully blacked out windows and suggested that a clause be added that the tinting must be 'x'% or less. The Chair also agreed with this asking that it be limited to 30% which was the norm and not have the blacked out windows.

The Licensing Administration Team Leader stated that this could be looked at in terms of compromise but would need to look at the specifications of various manufacturers before offering a percentage and then bring a report back to this committee with an amended recommendation.

**Resolved:** That the Licensing Administration Team Leader look at the specifications of various manufacturers and bring a report back to this committee with an amended recommendation.

[Watch the debate here](#)

**7. ENVIRONMENT ACT 1995 - PART IV LOCAL AIR QUALITY MANAGEMENT - ANNUAL STATUS REPORT 2023**

Consideration was given to a report advising members of the findings of the Annual Status Report (ASR) in terms of air quality within the Borough in respect of transport related Nitrogen Dioxide levels and also particulate matter exposure during 2022.

The Council's Environmental Health Team Manager reminded members that there were four Air Quality Management Areas(AQMA): Town Centre; Porthill-Wolstanton-May Bank; Kidsgrove and Little Madeley.

At the last meeting, it had been resolved to revoke the Little Madeley AQMA so there were three active ones at present. Across the areas, the Council was compliant with the UK objectives for Nitrogen Dioxide.

DEFRA had advised that the Council should now look to revoke the Porthill-Wolstanton-May Bank AQMA. This would be reported on at the next stage of the ASR.

Particulate matter had also been looked at and the actions that the Council were taking to reduce emissions were included in the ASR.

Councillor Brown asked, in relation to Walleys Quarry how overall air quality was affected.

The Environmental Health Team Manager stated that in previous years, emissions from the landfill had been looked at which included particulate matter, sulphur dioxide and nitrogen dioxide. Previous reports had considered that the quarry was not a cause of concerning emissions from those pollutants, however that did not mean that other pollutants were not of concern. Officers were going out regularly to assess emission levels of hydrogen sulphide.

Councillor Brown asked how Newcastle was doing in comparison to Staffordshire as a whole, in terms of air quality.

There was an area of concern on Etruria Road which was subject to a ministerial direction. In relation to Nitrogen Dioxide in general, it tended to be the more urbanised Council's in Staffordshire that experienced issues. With fine particulate matter, councils did coordinate actions and there was commonality of approach. Newcastle took account of air quality at the planning stage. For example, with the Council's aspirations for the town centre – that was a significant issue that had been addressed and similar development applications for housing development or industrial applications across the Borough.

Councillor Sweeney referred to paragraph 2.3 of the report regarding DEFRA's advice to revoke the May Bank, Wolstanton and Porthill AQMA and asked if this would be kept running for another year.

It was confirmed that discussions were taking place with DEFRA regarding the Council's wish to maintain that AQMA for good reasons. Committee would be updated once a firm answer had been received.

## ***Licensing & Public Protection Committee - 12/12/23***

Councillor John Williams asked if assessments had been carried out on Grange Lane and Porthill bank in respect of traffic dispersal as a result of the bus gate on Basford bank.

It was believed that an assessment had been done. The Service Director for Regulatory Services was the project lead for this and a report was due to go to Full Council in the near future.

Councillor John Williams asked if the Service Director could give a report to this Committee on the alternative routes. The Chair agreed with this point stating that shoppers and people making deliveries into the town centre should not be 'barred off' from entering.

The service Director had scheduled reports going to various committees in the new year so updates would be given to members.

Councillor Adcock asked how the nitrogen dioxide was measured at the landfill site and reassure members that it was calibrated correctly.

The Environmental Health Team Manager advised, in regard to the work undertaken by the Council, diffusion tubes were placed onto key buildings and lamp posts across the Borough. Every month, the tubes were submitted to a laboratory and the results were analysed and compared against the UK's annual mean.

At the previous meeting of this Committee members had been made aware of the Council's submission of a bid to DEFRA to install a number of monitors on lamp posts across the Borough which would give a real time picture of what was happening – particularly around school runs. The data could then be used to potentially influence changes in how people get to school.

The Chair stated that it would be useful to have reassurance that the monitoring mechanism was valid. This would be relayed to the Service Director and reported back to Members.

**Resolved:** That the contents of the report be noted.

[Watch the debate here](#)

### **8. MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETINGS**

**Resolved:** That the Minutes of the meetings held on 11 October and 15 November, 2023 be received.

### **9. DISCLOSURE OF EXEMPT INFORMATION**

There were no confidential items.

### **10. URGENT BUSINESS**

There was no urgent business.

**Councillor Joan Whieldon  
Chair**

***Licensing & Public Protection Committee - 12/12/23***

Meeting concluded at 7.56 pm