

Licensing Committee

Wednesday, 12 July 2023

Present: Councillor M Thirlaway (Chair)
Councillors D Drummond, J Johnsson, W Lott,
T Mulvenna and J O'Shea

Apologies: Councillors John Hunter, F Lott and G Madden

L1/23 Council Motion 16 March 2023 - Get Me Home Safely Campaign

Consideration was given to a report which set out the options available to the Committee in relation to the following motion considered by the Council at its meeting held on 16 March 2023:

“That shift work is becoming increasingly common in many industries and often includes late night working, often after most public transport has finished for the evening.

Many shift workers are increasingly worried about their safety travelling to and from work at night.

The work our Police and Crime Commissioner has done into trying to address residents' concerns with safety. Including the safer transport app, attracting funding from the Government and investment into the multi-agency security team

North Tyneside Council believes:

Unite the union's Get Me Home Safely campaign, which calls on employers to take all reasonable steps to ensure workers can get home safely from work at night, is greatly needed and should be supported.

The weakness of enforcement of the law against sexual assault, including upskirting on public transport is appalling and only 2% of victims go on to report sexual harassment on public transport.

North Tyneside Council:

Asks the Licensing Committee to explore the possibility of putting a condition in place on licensed premises which requires them when opening late to provide free and safe transport home for their staff.

Calls on the Mayor to write to Nexus and the private bus operators to introduce more late night services to get shift workers to and from work.

Write to the Government to ask them to extend the £2 fare offer for buses beyond the end of June and also provide funding to allow metro to continue the £2 offer which Tyne and Wear councils funded for the first 3 months of the year.”

The Committee was advised that currently there were no conditions attached to any existing premises licences or club premises certificates which required the operators to provide free and safe transport for their staff. The legislation in relation the licences did not require such a condition to be imposed and it was explained that no operator had offered such a condition as part of their licence application.

It was explained that there were a number of issues which would prevent such a condition being applied including the fact that unless there was a representation in relation to a particular application the matter would be determined based on the information contained in the application and the Authority was unable to add conditions not included in the application.

If representations were received the Licensing Sub Committee was required to consider each application on its merits and make a decision based on the promotion of the licensing objectives.

Guidance did not allow the Authority to adopt standard licensing conditions, such as suggested above. Applicants aggrieved by a condition can appeal to the Magistrates' Courts.

Members noted that the issue of staff working late did not just apply to licensed establishments but also occupations such as cleaners and hospital staff. It was suggested that the solution was for the issued to be tackled at a national level.

Resolved that the Committee, having explored the possibility of putting a condition in place on licensed premises requiring the provision of free and safe transport home to staff, would inform Members of the Council that such a condition would not be possible for legal reasons.