

Agenda

Newport City Council

Date: Tuesday, 24 July 2018

Time: 5.00 pm

Venue: Council Chambers - Civic Centre

To: **All Members of the City Council**

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If you have any queries regarding this, please contact the Democracy and Communication Manager.

Item	Wards Affected
1. <u>Agenda yn Gymraeg</u> (Pages 7 - 10)	
2. <u>Preliminaries</u> <ul style="list-style-type: none">i. To receive any apologies for absence.ii. To receive any declarations of interest.iii. To receive any announcements by the Mayor.	
3. <u>Minutes</u> (Pages 11 - 32) To confirm and sign the minutes of the last meeting.	
4. <u>Appointments</u> (Pages 33 - 42) To consider any proposed appointments.	
5. <u>Police Issues</u> 30 minutes is allocated for questions to the Gwent Police representative.	
6. <u>Notice of Motion: Caerleon Public Toilets</u> To receive the following motion for which the necessary notice has been provided:	

This council notes the public outcry against the closure of the

Contact: Eleanor Mulligan
Tel: 01633 656656
E-mail: eleanor.mulligan@newport.gov.uk
Date of Issue: Tuesday, 17 July 2018

public toilets in Caerleon and urges the Cabinet to re instate them as a matter of urgency.

The motion is to proposed by Councillor Joan Watkins and seconded by Councillor David Williams.

7. Notice of Motion: Reducing Use of Plastic in Newport

To receive the following motion for which the necessary notice has been provided:

This Council resolves to start the process of reducing the use of plastics across the City of Newport by:

- **Supporting Plastic Free Coastlines, committing to plastic free alternatives and supporting plastic free initiatives within the City**
- **Reducing the use of single-use plastics on Council premises and promoting the removal of single-use plastics elsewhere**
- **Encouraging local businesses and retailers to stop using, and selling, single-use plastic items, replacing them with sustainable alternatives**
- **Working with stakeholders to reduce the use of plastic in schools, colleges and libraries, community and leisure centres**
- **Promoting or organising community events to remove plastic waste from our coastline, and elsewhere across the City**

Some key examples of where we will target our efforts to reduce single use plastics and their alternatives are:

- **Recyclable or reusable cups**
- **Metal, compostable or other materials instead of plastic cutlery**
- **Compostable or reusable stirrers**
- **Paper bags or wrapping instead of plastic**
- **Reusable bottles instead of throwaway plastic**

The motion is to be proposed by Councillor Debbie Wilcox and seconded by Councillor Mark Whitcutt.

8. Notice of Motion: DWP Office Relocation

To receive the following motion for which the necessary notice has been provided:

The Department of Work and Pensions have announced that five of its offices across South Wales will close, with a total of 1,700 staff centralised at a new site on the Treforest Industrial Estate. In addition to the Newport Benefit Centre with 365 staff present there is the Caerphilly Benefits Centre with 225 staff and office closures include the Merthyr Benefit Centre with 262 staff, the Cwmbran Pension Centre with 171 staff and the Gabalfa Cardiff

Centre with 714 staff.

Although it is recognised that the DWP like local government are seeking to make changes to their operations in response to the ever increasing pressures placed on them from austerity measures, we are concerned with the decision to relocate jobs out of Newport City Centre and the implications the move will have on future sustainability. It will also have a negative impact on current Newport-based staff who will be unable to travel for a variety of reasons to the new fairly distant location with unconnected public transport routes thus putting job security at real risk.

This Council therefore resolves to write to:

- (i) The UK Government to request a reconsideration of the relocation of the Newport DWP Offices and that the UK Government be urged to enter into meaningful discussions with the PCS Trade Union on this matter.**
- (ii) The Welsh Government to request that they add their support to the PCS's position and ask that they write to the UK Government indicating their support for this reconsideration.**

The motion is to be proposed by Councillor Debbie Wilcox and seconded by Councillor Mark Whitcutt.

- 9. Public Space Protection Order: Maesglas (Pages 43 - 96) Gaer
- 10. Public Space Protection Order: City Centre (Pages 97 - 170) Stow Hill
- 11. High Street Rate Relief Scheme 2018-19 (Pages 171 - 180)
- 12. Member Officer Protocol (Pages 181 - 190)
- 13. Questions to the Leader of the Council
To provide an opportunity for Councillors to ask questions to the Leader of the Council in accordance with the Council's Standing Orders.

Process:

No more than 15 minutes will be allocated at the Council meeting for questions to the Leader of the Council.

The question must be addressed through the Mayor or the person presiding at the meeting and not directly to the person being questioned.

- 14. Questions to the Cabinet Members
To provide an opportunity to pose questions to Cabinet Members in line with Standing Orders.

Process:

No more than 10 minutes will be allocated at the Council meeting for questions to each Cabinet Member.

Members must submit their proposed questions in writing in advance in accordance with Standing Orders. If members are unable to ask their question orally within the allocated time, remaining questions will be answered in writing. The question and response will be appended to the minutes.

The question must be addressed through the Mayor or the person presiding at the meeting and not directly to the person being questioned.

Questions will be posed to Cabinet Members in the following order:

- i. Deputy Leader and Cabinet Member for Assets and Member Development
- ii. Cabinet Member for Education and Skills
- iii. Cabinet Member for Social Services
- iv. Cabinet Member for Regeneration and Housing
- v. Cabinet Member for Community and Resources
- vi. Cabinet Member for Streetscene
- vii. Cabinet Member for Licensing and Regulation
- viii. Cabinet Member for Culture and Leisure

For information: A digest of recent decision schedules issued by Cabinet, Cabinet Members and Minutes of recent meetings of Committees has been circulated electronically to all Members of the Council.

15. Questions to the Chairs of Committees

To provide an opportunity to pose questions to the Chairs of the Committees in line with Standing Orders.

Process:

No more than 10 minutes will be allocated at the Council meeting for questions to each Chair.

Members must submit their proposed questions in writing in advance in accordance with Standing Orders. If members are unable to ask their question orally within the allocated time, remaining questions will be answered in writing. The question and response will be appended to the minutes.

The question must be addressed through the Mayor or the person presiding at the meeting and not directly to the person being questioned.

Questions will be posed to Committee Chairs in the following order:

- i. Scrutiny Committees
 - a. Overview and Scrutiny Management Committee
 - b. Performance Scrutiny Committee – People
 - c. Performance Scrutiny Committee – Place and Corporate
 - d. Performance Scrutiny Committee – Partnerships
- ii. Planning Committee
- iii. Licensing Committee
- iv. Democratic Services Committee

For information: A digest of recent decision schedules issued by Cabinet, Cabinet Members and Minutes of recent meetings of Committees has been circulated electronically to all Members of the Council.

16. Standards Committee Minutes (*Pages 191 - 194*)
To note the minutes of the latest meeting of the Standards Committee.

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Agenda



Cyngor Dinas Casnewydd

Dyddiad: 24 Gorffennaf 2018

Amser: 5 y.p.

Lleoliad: Siambrau'r Cyngor - Canolfan Ddinesig

At sylw: **Pob Aelod o'r Cyngor Dinas**

HYSBYSIAD GWE-DDARLLEDU

Gall y cyfarfod hwn gael ei ffilmio ar gyfer darllediad byw neu ddarllediad wedi hynny trwy wefan y Cyngor.

Ar ddechrau'r cyfarfod, bydd y Maer, Cadeirydd neu'r Person sy'n Llywyddu yn cadarnhau os yw cyfan neu ran o'r cyfarfod yn cael ei ffilmio. Efallai y bydd y delweddau a recordiad sain yn cael eu defnyddio hefyd at ddibenion hyfforddiant o fewn y Cyngor.

Yn gyffredinol, nid yw'r ardaloedd eistedd cyhoeddus yn cael eu ffilmio. Fodd bynnag, wrth fynd i mewn i'r ystafell gyfarfod a defnyddio'r ardal seddau cyhoeddus, rydych yn rhoi caniatâd i chi gael eich ffilmio a defnydd posibl o rhai delweddau a recordiadau sain ar gyfer gwe-ddarlledu a/neu ddibenion hyfforddiant.

Os oes gennych unrhyw ymholiadau ynghylch hyn, cysylltwch â Rheolwr Democratiaeth a Cyfathrebu.

Eitem

1. Agenda yn Gymraeg
2. Rhagarweiniau
 - i) Ymddiheuriadau am absenoldeb
 - ii) Datganiadau o fuddiant personol
 - iii) Cyhoeddiadau Maer
3. Cofnodion
Cadarnhau a llofnodi cofnodion y cyfarfod diwethaf.
4. Penodiadau
Ystyried unrhyw benodiadau arfaethedig.
5. Materion yr Heddlu
Neilltuir 30 munud ar gyfer cwestiynau i gynrychiolydd Heddlu Gwent.
6. Hysbysiad o Gynnig: Toiledau Cyhoeddus Caerllion

Ystyried y cynnig canlynol y mae'r hysbysiad angenrheidiol wedi'i gyflwyno ar ei gyfer:

Mae'r Cyngor hwn yn nodi ymateb chwyrn y cyhoedd yn dilyn cau'r toiledau cyhoeddus yng Nghaerllion ac mae'n erfyn ar y Cabinet i'w hailagor fel mater o frys.

Y Cynghorydd Joan Watkins fydd yn cyflwyno'r cynnig, a'r Cynghorydd David Williams fydd yn ei eilio.

7. Hysbysiad o Gynnig: Lleihau'r Defnydd o Blastig yng Nghasnewydd

Ystyried y cynnig canlynol y mae'r hysbysiad angenrheidiol wedi'i gyflwyno ar ei gyfer:

Mae'r Cyngor hwn yn penderfynu dechrau ar y broses o leihau'r defnydd o blastig ar draws Dinas Casnewydd drwy'r dulliau canlynol:

- Cyfrannu at gael gwared ar Blastigau ar Arfordiroedd, ymrwymo i ddewisiadau dim plastig a chefnogi mentrau dim plastig yn y Ddinas
- Lleihau'r plastig defnydd un tro a ddefnyddir ar safleoedd y Cyngor a hyrwyddo camau i gael gwared ar blastig defnydd un tro mewn mannau eraill
- Annog busnesau a manwerthwyr lleol i roi gorau i ddefnyddio a gwerthu eitemau plastig defnydd un tro, a chynnig dewisiadau cynaliadwy yn y eu lle
- Gweithio gyda rhanddeilaid i leihau'r defnydd o blastig mewn ysgolion, colegau a llyfrgelloedd, a chanolfannau cymunedol a hamdden
- Hyrwyddo neu drefnu digwyddiadau cymunedol i gael gwared ar wastraff plastig ar ein harfordir a ledled y Ddinas

Dyma rai enghreifftiau allweddol o ble y byddwn yn targedu'n hymdrechion i leihau plastigau a hybu dewisiadau eraill:

- Cwpanau y gellir eu hailgylchu neu eu hailddefnyddio
- Metel a deunyddiau y gellir eu compostio, neu ddeunyddiau eraill yn lle cyllyll/ffyrac ac ati plastig
- Ffyn cymysgu diod y gellir eu compostio neu eu hailddefnyddio
- Bagiau neu bapur lapio papur, nid plastig
- Poteli y gellir eu hailddefnyddio yn hytrach na photeli plastig sy'n mynd yn y bin

Bydd y Cynghorydd Debbie Wilcox yn cyflwyno'r cynnig hwn a chaiff ei eilio gan y Cynghorydd Mark Whitcutt.

8. Hysbysiad o Gynnig: Adleoli Swyddfa'r Adran Gwaith a Phensiynau

Ystyried y cynnig canlynol y mae'r hysbysiad angenrheidiol wedi'i gyflwyno ar ei gyfer:

Mae'r Adran Gwaith a Phensiynau wedi cyhoeddi y bydd pump o'i swyddfeydd ledled De Cymru'n cau gan ganoli cyfanswm o 1,700 o staff mewn safle newydd ar Ystâd Diwydiannol Trefforest. Yn ogystal â Chanolfan Fudd-daliadau Casnewydd sydd â 365 o staff, mae 225 o staff yn gweithio yng

Nghanolfan Fudd-daliadau Caerffili, ac mae'r swyddfeydd a fydd yn cau yn cynnwys Canolfan Fudd-daliadau Merthyr sydd â 262 o staff, Canolfan Bensiynau Cwibrân sydd â 171 o staff, a Chanolfan Caerdydd yng Ngabalfa sydd â 714 o staff.

Cydnabyddir bod yr Adran Gwaith a Phensiynau, yn yr un modd â Llywodraeth Leol, am wneud newidiadau i'w gweithrediadau yn sgil pwysau cynyddol y mesurau llymder, ond rydym yn pryderu am y penderfyniad i adleoli swyddi o Ganol Dinas Casnewydd ac am oblygiadau y penderfyniad hwn ar gynaliadwyedd yn y dyfodol. Bydd hefyd yn cael effaith negyddol ar staff sy'n gweithio yng Nghasnewydd ar hyn o bryd na fydd modd iddyn nhw deithio, am amrywiaeth o resymau, i'r lleoliad newydd cymharol pell. Does dim llwybrau trafndiaeth gyhoeddus ac felly bydd sicrwydd o'u swydd yn y fantol.

Mae'r Cyngor felly yn penderfynu ysgrifennu at y canlynol:

- (i) Llywodraeth y DU i ofyn iddi ailystyried y penderfyniad i adleoli Swyddfeydd yr Adran yng Nghasnewydd ac i annog iddi cychwyn trafodaethau ystyrllon gydag Undeb Llafur PCS ar y mater hwn.**
- (ii) Llywodraeth Cymru i ofyn iddi gefnogi safbwynt PCS ac yn gofyn iddi ysgrifennu at Lywodraeth y DU i ddatgan ei chefnogaeth i'r mater gael ei ailystyried.**

Bydd y Cynghorydd Debbie Wilcox yn cyflwyno'r cynnig hwn a chaiff ei eilio gan y Cynghorydd Mark Whitcutt.

- 9. Gorchymyn Gwarchod Mannau Cyhoeddus: Maesglas
- 10. Gorchymyn Gwarchod Mannau Cyhoeddus: Canol y Ddinas
- 11. Cynllun Rhyddhad Ardrethi'r Stryd Fawr 2018-19
- 12. Protocol ar Perthnasau Aelod / Swyddog
- 13. Cwestiynau i Arweinydd

I roi'r cyfle i gynghorwyr ofyn cwestiynau i Gadeirydd y Cabinet yn unol â Rheolau Sefydlog y Cyngor.

Proses: Ni chaiff mwy na 15 munud eu cadw yng nghyfarfod y Cyngor ar gyfer cwestiynau llafar i'r Arweinydd

Rhaid i'r cwestiwn cael sylw drwy'r Maer neu'r sawl sy'n llywyddu yn y cyfarfod ac nid yn uniongyrchol at y person a holir

- 14. Cwestiynau i Aelodau Cabinet

I roi'r cyfle i ofyn cwestiynau i Aelodau'r Cabinet yn unol â Rheolau Sefydlog

Proses: Ni chaiff mwy na 10 munud eu cadw yng nghyfarfod y Cyngor ar gyfer cwestiynau i bob Aelod Cabinet unigol.

Bydd angen i'r Aelodau cyflwyno eu cwestiynau arfaethedig yn ysgrifenedig yn unol â'r Rheolau Sefydlog. Os nad yw'r aelodau yn gallu gofyn eu cwestiwn ar lafar o fewn yr amser a glustnodwyd, bydd y cwestiynau sy'n weddill yn cael eu hateb yn ysgrifenedig. Bydd y cwestiwn ac ymateb yn cael eu hatodi i'r cofnodion.

Rhaid i'r cwestiwn cael sylw drwy'r Maer neu'r sawl sy'n llywyddu yn y cyfarfod ac nid yn uniongyrchol at y person a holir

Bydd y cwestiynau yn cael eu gofyn i aelodau'r cabinet yn y drefn ganlynol:

- Dirprwy Arweinydd / Aelod Cabinet dros Ddatblygu Asedau ac Aelodau
- Aelod Cabinet dros Addysg a Sgiliau
- Aelod Cabinet dros y Gwasanaethau Cymdeithasol
- Aelod Cabinet dros Adfywio a Thai
- Aelod Cabinet dros y Gymuned ac Adnoddau
- Aelod Cabinet dros Gwasanaethau Stryd
- Aelod Cabinet dros Trwyddedu a Rheoleiddio
- Aelod Cabinet dros Ddiwylliant a Hamdden

Er Gwybodaeth: Mae crynodeb o amserlenni penderfyniad diweddar a gyhoeddwyd gan y Cabinet, Aelodau Cabinet a Cofnodion cyfarfodydd diweddar y Pwyllgorau wedi cael ei gylchredeg yn electronig at bob Aelod o'r Cyngor.

15. Cwestiynau i Gadeiryddion Pwyllgorau

Bydd y cwestiynau yn cael eu gofyn i Gadeiryddion Pwyllgorau yn y drefn ganlynol:

- I. Pwyllgorau Craffu
 - Pwyllgor Rheoli Trosolwg a Chraffu
 - Pwyllgor Craffu ar Berfformiad – Pobl
 - Pwyllgor Craffu ar Berfformiad – Lleoedd a Materion Corfforaethol
 - Pwyllgor Craffu ar Berfformiad – Partneriaethau
- II. Pwyllgor Cynllunio
- III. Pwyllgor Trwyddedu
- IV. Pwyllgor Gwasanaethau Democraataidd

16. Pwyllgor Safonau - Cofnodion

Nodi cofnodion cyfarfod diweddaraf y Pwyllgor Safonau.



Minutes

Council

Date: 24 April 2018

Time: 5.00 pm

Present: Councillors M Al-Nuaimi, J Cleverly, P Cockeram, M Cornelious, K Critchley, D Davies, C Evans, M Evans, C Ferris, D Fouweather, G Giles, J Guy, D Harvey, R Jeavons, M Kellaway, D Mayer, R Mogford, J Mudd, M Rahman, J Richards, M Spencer, T Suller, H Thomas, K Thomas, C Townsend, R Truman, T Watkins, M Whitcutt, R White, K Whitehead, D Wilcox, D Williams, G Berry, V Dudley, Y Forsey, R Hayat, T Holyoake, P Hourahine, J Hughes, J Jordan, S Marshall, W Routley, H Townsend and J Watkins.

Apologies: Councillors C Jenkins, M Linton, A Morris, J Clarke and L Lacey

1. Preliminaries

i) To receive any apologies for absence

The Monitoring Officer reported apologies for absence.

ii) To receive any declarations of interest

None.

iii) To receive any announcements by the Mayor

The Mayor led the Council in offering congratulations to the Duke and Duchess of Cambridge on the birth of their third child.

2. Minutes

The following amendments were put forward for the minutes of the meeting held on 27 February 2018:

- On item 6 (Questions to the Leader of the Council) Councillor Matthew Evans asked that the minute show he had asked for details of the money allocated for the footbridge project in 2014, as was reported at the time in the South Wales Argus.
- On item 7 (Questions to the Cabinet Members) Councillor Gail Giles asked that the minute show that there had been some confusion over the question ask by Councillor Watkins, as this was different from the question submitted.

With the amendments above, the minutes for the meetings held on 27 February and 27 March 2018 were confirmed as a true record.

3. Appointments

The following appointments were agreed:

Internal Appointments

Committee	No. of Vacancies / Replacements	Nominations Received
Democratic Services Committee	1 replacement	Cllr Laura Lacey to replace Cllr Jane Mudd
HR Appeals	2 replacements	Cllr Laura Lacey to replace Cllr Jane Mudd Cllr Deb Davies to replace Cllr Deb Harvey

Governing Body Appointments

Governing Body	No. of Vacancies / Re-appointments	Nominations Received
Alway Primary	1 re-appointment	Rodney Webb
Charles Williams Church in Wales Primary	1 re-appointment 1 vacancy	Cllr Gail Giles Cllr Jason Hughes
Llisbury High	1 re-appointment	Rita Reynolds
St Andrews Primary	3 re-appointments	Cllr Roger Jeavons, Cllr Ken Critchley, Rita Reynolds
St Julians Primary	1 re-appointment	Elaine Bryant
The John Frost School	1 re-appointment	Cllr Debbie Wilcox
Ysgol Gymraeg Casnewydd	1 re-appointment	Daniel Davies
Caerleon Comprehensive	1 vacancy	Ann Price
Pillgwenlly Primary	1 vacancy	Fabi Berrettoni
Milton Primary	1 vacancy	Umber Ahmed

4. Police Issues

Superintendent Ian Roberts provided an update on current local policing priorities, before inviting questions from Members.

- In response to a question from Councillor Matthew Evans, Superintendent Roberts assured Council that Gwent Police would continue to carry out parking enforcement until those powers were transferred to the Council. While general parking

enforcement had to be prioritised alongside other police work and resources, Members were assured that flagged issues would be investigated and followed up.

- Superintendent Roberts agreed to follow up on the issues raised by Councillor Wilcox and Councillor Marshall in relation to off road bikes, drug use, and speeding vehicles within the Gaer ward.
- Councillor Jeavons raised concerns about resources to tackle issues within Black Ash Park, which the Superintendent agreed to follow up.
- In response to a query from Councillor Mogford about police parking on double yellow lines, the Superintendent confirmed that this would only be appropriate in an emergency situation, and agreed to follow up on the example given.
- Councillor Deb Davies urged the Police to increase patrols around parks to tackle anti-social behaviour in the summer months. The Superintendent confirmed that the force was aware of the issues within the parks and was working on addressing these.
- Councillor Hourahine asked that thanks be passed on for the time spent on a walking tour ahead of scrutiny of the City Centre PSPO.
- Councillor Joan Watkins requested feedback in addressing reported issues of drug dealing in Caerleon, so that progress could be fed back to residents.

The Mayor thanked Superintendent Roberts for attending.

5. **Notice of Motion: Period Poverty**

The Council considered a motion for which the necessary notice had been provided. The motion was moved by Councillor Wilcox and seconded by Councillor Whitcutt:

That this Council will

- 1. research the availability of free sanitary products in all Secondary Schools in the city as an acknowledgement that they are as essential as toilet paper for the personal hygiene of female pupils.**
- 2. Request that a report be presented to the Performance Scrutiny Committee - People which will consider the availability of hygiene products in Newport schools and, if appropriate, bring forward recommendations for consideration by the Cabinet in respect of this matter relating to dignity, equality, health and wellbeing and its effect on education in a city that has a considerable number of pupils living in poverty.**

In moving the motion, Councillor Wilcox highlighted the funding announced in March by Welsh Government to address period poverty, in the form of a one off capital grant and a two year revenue grant. The Leader confirmed that the Council was currently working on how to direct and use those funds, however it was proposed through this motion that a longer term solution was needed. The Leader highlighted the impact of period poverty, including the research showing links with female underachievement.

In seconding the motion, Councillor Whitcutt echoed the Leader's comments on the significance of period poverty, and highlighted the links between this issue and matters of equality and human rights.

Speaking in favour of the motion, Members raised the following points:

- That this was a real issue facing girls and women in Newport.
- That this will make a difference to attainment and attendance of girls at school.
- That facilities were needed to ensure girls have the dignity they deserve.
- That this issue needed to be discussed and brought into the open.
- That this was not just a high school issue - facilities were needed in primary schools too.
- That action could be taken now, for example on social media and the #endperiodpoverty campaign.
- That demand for sanitary products was increasing at food banks.

It was unanimously

Resolved

To adopt the motion as set out in full above.

6. Notice of Motion: Newport to Ebbw Vale Rail Track

The Council considered a motion for which the necessary notice had been provided. The motion was moved by Councillor M Evans and seconded by Councillor Wilcox:

This Council is frustrated by the many delays in the opening of the Newport to Ebbw Vale rail track. It urges Welsh Government to act as a matter of urgency on this matter.

In moving the motion, Councillor M Evans cited the campaign by the South Wales Argus in 2002 to get the Ebbw Vale line “back on track”. There was cross party support then and now for the reopening of the line, and progress was needed as a priority.

In seconding the motion, Councillor Wilcox highlighted the importance of the line to the economic development of the area, and reiterated her commitment to pressing for progress on this issue in all forums, local and national.

A number of Members spoke in support of the motion, praising the consensus on this issue from across the floor, and the importance of this link for the economic and social prosperity of the region.

It was unanimously

Resolved

To adopt the motion as set out in full above.

7. Local Wellbeing Plan

The Leader of the Council introduced the report, asking Council to approve the One Newport Public Services Board’s Wellbeing Plan for 2018-23.

The Well-being of Future Generations Act required the Council to take account of the long term, take a partnership approach, and involve people. The Act also established the Public Services Board (PSB) chaired by the Leader of the Council. The PSB was responsible for an assessment of local well-being and a Local Well-being plan.

The Local Well-being Assessment for Newport was published in May 2017. A Local Well-being Plan, setting out objectives and the steps the PSB would take to meet them, had to be published by May 2018.

The draft plan under consideration was developed by the partnership based on the outcomes in the Well-being Assessment and community profiles. The report outlined 13 priorities that came out of a series of workshops and were agreed by the PSB:

- 1) Newport has a clean and safe environment for people to use and enjoy
- 2) Improve Air Quality across the city
- 3) Communities are resilient to climate change
- 4) People feel part of their community (community cohesion & resilience)
- 5) Participation in physical activity is important for people's physical and mental well-being and resilience
- 6) Participation in arts, heritage and history is important for people's well-being
- 7) Improve the perceptions of Newport as a place to live, work, visit and invest
- 8) Drive up skill levels for economic and social well-being
- 9) Support regeneration and economic growth
- 10) Provide children and young people with the best possible start in life
- 11) Long and healthy lives for all (equalise up health life expectancy and life expectancy and health inequalities)
- 12) Ensuring people feel safe in their communities, by reducing crime and antisocial behaviour and fear of crime
- 13) People have access to stable homes in a sustainable supportive community

The next step was to develop a Response Analysis. This was the link between the Local Well-being Assessment and the Local Well-being Plan. The response analysis informed the selection of local objectives and assessed how local services (in a collective sense) were, and could be, addressing them.

Working with 30+ organisations, five cross cutting interventions were identified which spanned the emerging priorities, and maximised the contribution to the well-being goals.

These were:

- The Newport Offer
- Strong Resilient Communities
- Right Skills
- Green and Safe Spaces
- Sustainable Travel

The consultation responses including the advice of the Future Generations Commissioner were outlined in the report. These were considered by the PSB and the Plan had been amended accordingly.

The next stage was for the statutory organisations to adopt the Plan prior to this being finalised at the May PSB.

The Leader concluded by paying tribute to the officers involved in producing this plan, and the huge amount of hard work which had gone into the process.

During the discussion the following points were raised:

- Support for the content of the plan, and recognition of the work that had gone into it.
- Concerns about the monitoring of the plan, and how success would be measured.
- Concerns about the resources available to deliver the plan.
- The role played by the Performance Scrutiny Committee – Partnerships in reviewing the draft plan in its development, and scrutinising its outcomes in the future.

Resolved

To approve the One Newport Public Services Board's Wellbeing Plan 2018-23.

8. Pay and Reward Statement

The Leader introduced the report, outlining the annual statement that is updated every April and must be agreed by Council.

The content remained mostly the same as last year, with one main addition for 2018/19: reporting on the Council's gender pay gap. This was reported in the Pay and Reward Policy, would be reported in the annual Strategic Equality Duty report, and had been published on the gov.uk website. There was no requirement for Welsh local authorities to publish on the gov.uk website but was submitted in the interests of openness and transparency.

From running and verifying the data, it was confirmed that the Council's gender pay gap as at 31st March 2017 was 1.2%, which was some way below the national average of 18.4%

It was noted that the pay and grading exercise in 2015 had contributed to this outcome, as has the increasing number of women in managerial roles across the Council. The Council currently had more female service managers reporting directly to Heads of Service than male, and the flexible working policies in place encouraged greater take up of women progressing to senior roles and balancing commitments outside of work.

The remainder of the policy remained unchanged, however some comparative data was included in the report to show the changes to pay relativity ratios year on year. This showed a consistent narrowing of the gap between our highest and lowest paid employees.

Resolved

To approve the updated Pay and Reward Policy in order to meet the statutory requirement for a pay policy statement to be approved and published by Council on an annual basis.

9. Independent Remuneration Panel Annual Report

Councillor Charles Ferris, Chair of the Democratic Services Committee, presented the report outlining the recommendations of the Independent Remuneration Panel for Wales (IRPW) for adoption by the Council.

Councillor Ferris outlined that remuneration levels would remain static, except for a £200 uplift in the basic allowance for all Members. Senior salaries would remain at the same level. The report also recommended that the rate of payment for the Mayor and Deputy Mayor remain the same as our existing arrangements.

It was also confirmed that the IRPW had removed the provision for a two-tier level of payment for Cabinet Members and Committee Chairs. This provision had been questioned by this Council previously, and had not been used by any Council in Wales.

Finally Councillor Ferris highlighted the IRPW's promotion of the provision for reimbursing costs of care, and the recommendation in the report that any claims made under this provision be anonymised in reporting.

Resolved

That Council

- i) adopts the determinations within the Independent Remuneration Panel for Wales' Annual Report 2018-19;
- ii) approves the draft Schedule of Remuneration attached at Appendix 1; and
- iii) agrees that any claims made for reimbursements of costs of care should be anonymised in future reporting of NCC allowance payments.

10. Questions to the Leader of the Council

Leader's announcements

In answer to the first question from the Mayor, the Leader made the following announcements:

- Thanks to the outgoing Mayor on what would be his final Council meeting.
- The inaugural ABP Newport Marathon being staged at the weekend, which was estimated to bring £1.1million into the local authority.
- Congratulations to Newport RFC on reaching the finals of the WRU Challenge Cup.
- The announcement expected soon on the bid for lottery funding for the Transporter Bridge.
- Completion of the recent works to the City Footbridge.
- The £2.5million grant awarded in March to the Living Levels Partnership, for a series of projects designed to restore and enhance the natural heritage and history of the Gwent Levels' unique landscape.
- The success of the Cardiff Capital Region bid, let by Newport officers, for £6million worth of funding from the local full fibre wave two challenge fund to enable improved digital technology in south-east Wales.

Congestion charges and parking levies

Councillor Matthew Evans reported that Cardiff Council were considering introducing congestion charges and levies on car parking, and asked the Leader to rule out any similar plans being introduced in Newport. The Leader responded that she recognised the particular issues with parking in Cardiff, but could not comment upon the actions of another Council, and would not be drawn into any promises to rule this out. In response to a supplementary question, the Leader confirmed that there were no immediate plans to look at such measures.

David 'Bomber' Pearce

Councillor Kevin Whitehead referenced the current campaign to recognise the sporting achievements of local man David "Bomber" Pearce, and asked whether he could be given a posthumous award, for example the Spirit of Newport award or the freedom of the city. The

Leader confirmed that the statue of Mr Pearce would be unveiled on 7 June in the city, and agreed to talk to officers about a potential award.

Great Western Cities Partnership

Councillor Carmel Townsend asked for an update on progress of the Great Western Cities Partnership signed by the former Leaders of Newport and Cardiff, and the former Mayor of Bristol. The Leader confirmed that the authority was pushing for progress, which had been made difficult with changes in the different personnel. There was a clear synergy with the South West region, and discussions were ongoing to try and move this forward, including the potential to expand the partnership to include other cities such as Bath and Swansea.

Newport Market

In response to a question from Councillor Graham Berry, the Leader confirmed the progress that had been made in communications with the traders at Newport Market. Long term options for the Market were being considered, meanwhile regular meetings were being held with traders to discuss short term solutions to improve footfall and organise events.

Transporter Bridge

Councillor Charles Ferris asked whether any contingency plans were in place in case the Heritage Lottery Fund bid for the Transporter Bridge was unsuccessful. The Leader confirmed that pressure was being applied at the highest level for Welsh Government support, and the situation would need to be reviewed after the outcome of the bid was received. While the authority was committed to preserving the Transporter Bridge, the level of funding needed was beyond the reach of the Council, and would have to be considered against the delivery of statutory services.

11. **Questions to the Cabinet Members**

The following questions were submitted and answered.

Cabinet Member for Education and Skills

Councillor Joan Watkins asked:

After a recent visit in March by Estyn Inspectors St Julians comprehensive School remains in special measures. Newport High School in Bettws is also in the special measures category. Stemming from recent Welsh Government rankings assessment, in Jan 2017 Llanwern High School slipped into the red zone.

Can the Cabinet Member responsible for Education give a cast iron guarantee that Llanwern High School will not also sink into the special measures category and what actions are being taken to prevent this happening.

The Cabinet Member responded:

The Cabinet Member referenced the similar question answered at the Council meeting in February, and added that all schools had areas of strength, and there was a lot to be proud of within Newport schools. Every local authority had schools in all categories, including red schools, but Newport had the highest number of green schools in the region. GCSE rankings had improved, and performance was above expected levels for the numbers of children in receipt of free school meals.

The Cabinet Member stated that Estyn and the EAS were experts in identifying needs for support, and red categorisation ensured the highest level of support. Support was provided

by the EAS and the local authority working in partnership to consistently review the capacity of schools to move forward. The Cabinet Member also noted that Newport had never been placed in special measures, and with the high levels of success this was unlikely to happen in the future.

The Cabinet Member recognised Estyn as Her Majesty's Inspectors of schools, who gave an unquestionable judgement. The local authority would continue to do what it could, but there could not be any cast iron guarantees as inspection judgements were for Estyn to determine. In reference to Llanwern High School, all appropriate support had been put in place, and outcomes were looking significantly better than last year. The Cabinet Member closed by thanking the school staff for their continued hard work, as well as the governors, community and education department for their ongoing support.

Supplementary question:

Councillor Watkins' questioned whether raising standards was Estyn's responsibility, and stated that the authority should be doing what it could to raise standards. In response the Cabinet Member confirmed that the authority fulfilled all requirements for its responsibilities, and support given was down to all agencies and schools working together.

Cabinet Member for Regeneration and Housing

Councillor William Routley asked:

Between April 2016 to March 2017 Newport Council received £174,400 in 'transitional funding' from the Welsh Government to help assist the authority with Homelessness Prevention. Between April 2017 and March 2018 Newport Council received another £139,440. Also, in August 2017, a further £159,615.51 in funding was received. The Council has also made £75,000 available from its own budgets from 2016 to 2018. It is good that £58,933.06 has been spent on assisting Edengate with opening an all year night-shelter. However if all the funding were channelled more efficiently into one project such as funding the renovation of a block of flats and incorporating a permanent night-shelter on the ground-floor, does the Council feel this would greatly reduce homelessness in the City?

The Cabinet Member responded:

Homelessness across the UK was rising, for many and varied reasons. Street homelessness was at the acute and visible end. The authority in fact saw around 2,000 households each year who were homeless or at risk of becoming homeless. The problems varied greatly, so a multifaceted approach was required. The funding was to support delivery of the authority's duties under the Housing Act 2015. The majority of this was revenue funding, so could not be used for capital projects, so negotiations would be needed with officers for any capital funding to support a night shelter. Additional interventions were also needed for rough sleeping and developing other support schemes, and the Cabinet Member did not feel that putting all funding into one project would benefit the many causes of homelessness, as solutions needed to be varied.

Supplementary question:

In response to Councillor Routley's supplementary question on the allocation of transitional funding for homelessness prevention, the Cabinet Member confirmed that a considerable amount of money was received through grant funding, being fed into a wide range of different projects, including Llamau mediation, securing more private rented accommodation, additional rough sleeper interventions, increasing funding for homelessness prevention, the Solas café, extending night shelter provision, and increasing the supported lodging scheme. The focus has been on homelessness prevention and each pound invested saved £4 for Council services, and £8 across all public services. The most recent rough sleeper count for

Newport was 18 people – while this was 18 people too many, rough sleeping was at the acute and visible end of homelessness, and needed to be considered in the context of interventions for 2,000 households each year.

12. **Questions to the Chairs of Committees**

No questions were submitted on this occasion.

The meeting terminated at 7.00 pm

Minutes



Council

Date: 15 May 2018

Time: 5.00 pm

Present: Councillors M Al-Nuaimi, J Cleverly, P Cockeram, M Cornelious, K Critchley, D Davies, C Evans, M Evans, C Ferris, D Fouweather, G Giles, J Guy, D Harvey, I Hayat, R Jeavons, M Kellaway, M Linton, D Mayer, R Mogford, J Mudd, M Rahman, J Richards, M Spencer, T Suller, H Thomas, K Thomas, R Truman, T Watkins, M Whitcutt, R White, K Whitehead, D Wilcox, D Williams, G Berry, J Clarke, V Dudley, Y Forsey, T Holyoake, P Hourahine, J Hughes, L Lacey, S Marshall, W Routley, H Townsend and J Watkins

Apologies: Councillors C Townsend and J Jordan

1. **Announcements**

There were no announcements to be made on this occasion.

2. **Appointment of the Leader of the Council**

Councillor Debbie Wilcox was appointed as Leader of the Council.

The Leader announced her Cabinet as follows:

Post	Appointed
Leader & Chair of Cabinet	Cllr Debbie Wilcox
Deputy Leader and Cabinet Member for Assets, Equalities and Member Development	Cllr Mark Whitcutt
Cabinet Member for Education and Skills	Cllr Gail Giles
Cabinet Member for Social Services	Cllr Paul Cockeram
CM for Streetscene	Cllr Roger Jeavons
Cabinet Member for Regeneration and Housing	Cllr Jane Mudd
Cabinet Member for Licensing and Regulation	Cllr Ray Truman
Cabinet Member for Community and Resources	Cllr David Mayer

Cabinet Member for Culture and Leisure, and Business Manager	Cllr Deb Harvey
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Opposition Spokespersons

Councillor Matthew Evans announced that he would act as Leader of the Opposition. Opposition spokespersons were announced as follows:

Post	Appointed
Leader of the Opposition	Cllr Matthew Evans
Deputy Leader	Cllr David Williams
Business Manager	Cllr David Fouweather
Education and Skills	Cllr Joan Watkins
Social Services	Cllr David Williams
Streetscene	Cllr Richard White
Regeneration	Cllr Martyn Kellaway
Licensing	Cllr William Routley
Community and Resources	Cllr Ray Mogford
Culture	Cllr Charles Ferris
Assets and Member Development	Cllr Tom Suller

3. Appointment of Chairs of Committees

Following nominations by the leaders of their respective parties, the following Committee Chair appointments were agreed by the Council:

Planning Committee	Cllr John Richards
Licensing Committee	Cllr Deb Davies
Democratic Services Committee	Cllr Charles Ferris
Overview and Scrutiny Management Committee	Cllr John Guy
Performance Scrutiny Committee – People	Cllr David Williams
Performance Scrutiny Committee – Place and Corporate	Cllr Chris Evans
Performance Scrutiny Committee – Partnerships	Cllr Majid Rahman

(The nominated persons declared an interest in this item and did not vote on the specific appointments.)

4. **Appointments to Committees**

Each Group Leader agreed to pass the appointments of members to the committees to the proper officer for recording in the minutes. The following committee appointments were submitted.

Planning Committee:
(6 Labour, 3 Conservative, 1 NIP, 1 Lib Dem)

Labour (Chair)	Cllr John Richards	Lliswerry
Labour (Deputy Chair)	Cllr John Guy	Alway
Labour	Cllr Malcolm Linton	Ringland
Labour	Cllr James Clarke	Malpas
Labour	Cllr Graham Berry	Beechwood
Labour	Cllr Miqdad Al-Nuaimi	Stow Hill
Conservative	Cllr Richard White	Marshfield
Conservative	Cllr Val Dudley	Rogerstone
Conservative	Cllr Ray Mogford	Langstone
Newport Independents	Cllr Jason Jordan	Bettws
Liberal Democrat	Cllr Carmel Townsend	St Julians

Licensing Committee:
(6 Labour, 3 Conservative, 1 NIP, 1 Lib Dem)

Labour (Chair)	Cllr Deb Davies
Labour (Deputy Chair)	Cllr Herbie Thomas
Labour	Cllr Jason Hughes
Labour	Cllr Tracey Holyoake
Labour	Cllr Majid Rahman
Labour	Cllr Graham Berry
Conservative	Cllr Margaret Cornelious
Conservative	Cllr Charles Ferris
Conservative	Cllr William Routley

Newport Independents	Cllr Jan Cleverly
Liberal Democrat (seat offered to Independent Cllr)	Cllr Allan Morris

Audit Committee:

(5 Labour, 2 Conservative, 1 NIP, 1 Lib Dem) LAY MEMBER CHAIR

Labour	Cllr Herbie Thomas
Labour	Cllr Deb Davies
Labour	Cllr Laura Lacey
Labour	Cllr John Guy
Labour	Cllr Kate Thomas
Conservative	Cllr Richard White
Conservative	Cllr David Williams
Newport Independents	Cllr Jason Jordan
Liberal Democrat	Cllr Holly Townsend
Lay Member (Chair)	Mr John Baker

* Chair appointed by the Committee

Democratic Services Committee:

(6 Labour, 2 Conservative, 1 NIP, 1 Lib Dem)

Conservative (Chair)	Cllr Charles Ferris
Labour	Cllr Jane Mudd
Labour	Cllr Trevor Watkins
Labour	Cllr Kate Thomas
Labour	Cllr Yvonne Forsey
Labour	Cllr Ibrahim Hayat
Labour	Cllr Rehmann Hayat
Conservative	Cllr Matthew Evans
Newport Independents	Cllr Chris Evans
Liberal Democrat	Vacancy

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Scrutiny Committees:

Overview and Scrutiny Management Committee

(6 Labour, 2 Conservative, 1 NIP, 1 Lib Dem)

Labour (Chair)	Cllr John Guy
Labour	Cllr Miqdad Al-Nuaimi
Labour	Cllr Laura Lacey
Labour	Cllr Kate Thomas
Labour	Cllr Jason Hughes
Labour	Cllr Mark Spencer
Conservative	Cllr Charles Ferris
Conservative	Cllr Matthew Evans
Newport Independents	Cllr Chris Evans
Liberal Democrat	Vacancy

Performance Scrutiny Committee - Partnerships

(6 Labour, 2 Conservative, 1 NIP, 1 Lib Dem)

Labour (Chair)	Cllr Majid Rahman
Labour	Cllr Deb Davies
Labour	Cllr Steve Marshall
Labour	Cllr Yvonne Forsey
Labour	Cllr Rehmaan Hayat
Labour	Cllr Mark Spencer
Conservative	Cllr Tom Suller
Conservative	Cllr Ray Mogford
Newport Independents	Cllr Kevin Whitehead
Liberal Democrat	Vacancy

Performance Scrutiny Committee - People*(6 Labour, 2 Conservative, 1 NIP, 1 Lib Dem)*

Conservative (Chair)	Cllr David Williams
Labour	Cllr Kate Thomas
Labour	Cllr Tracey Holyoake
Labour	Cllr John Guy
Labour	Cllr Herbie Thomas
Labour	Cllr Trevor Watkins
Labour	Cllr Laura Lacey
Conservative	Cllr Joan Watkins
Newport Independents	Cllr Jan Cleverly
Liberal Democrat	Cllr Carmel Townsend

Performance Scrutiny Committee – Place and Corporate*(6 Labour, 2 Conservative, 1 NIP, 1 Lib Dem)*

Newport Independents (Chair)	Cllr Chris Evans
Labour	Cllr John Richards
Labour	Cllr James Clarke
Labour	Cllr Ken Critchley
Labour	Cllr Graham Berry
Labour	Cllr Miqdad Al-Nuaimi
Labour	Cllr Laura Lacey
Conservative	Cllr Margaret Cornelious
Conservative	Cllr David Fouweather
Liberal Democrat	Vacancy

Standards Committee:

Cllr Herbie Thomas	Labour appointment
Cllr Phil Hourahine	Labour appointment
Cllr Val Dudley	Conservative appointment

Also: Phil Westwood (Chair), Gerard Hancock, Bernard John, Tracey Britton, Andrew Mitchell, Kerry Watkins.

SACRE: The Standing Advisory Council on Religious Education:

Cllr Laura Lacey	Chair
Cllr Tracey Holyoake	Labour appointment
Cllr Ibrahim Hayat	Labour appointment
Cllr Rehman Hayat	Labour appointment
Cllr Joan Watkins	Conservative appointment

Appointments Committee – Strategic Director

Labour	Cllr Debbie Wilcox
Labour	Cllr Gail Giles
Labour	Cllr Laura Lacey
Labour	Cllr Herbie Thomas
Conservative	Cllr Matthew Evans
Newport Independents	Cllr Jan Cleverly
Liberal Democrat	Cllr Carmel Townsend

Corporate Parenting Forum:

Chair (Labour)	Cllr Paul Cockeram
Labour	Cllr Deb Davies
Labour	Cllr Graham Berry
Labour	Cllr Ibrahim Hayat
Labour	Cllr Steve Marshall
Labour	Cllr Jason Hughes
Labour	Cllr Yvonne Forsey
Labour	Cllr John Guy
Labour	Cllr Chris Jenkins

Conservative	Cllr Joan Watkins
Conservative	Cllr Tom Suller

HR Appeals:

Members to be appointed to be used in rotation:

Cllrs Kate Thomas, Deb Davies, Laura Lacey, James Clarke, Mark Spencer, Ibrahim Hayat, Tracey Holyoake, Chris Jenkins, David Fouweather, David Williams, Charles Ferris, William Routley and Tom Suller.

Employee Partnership Forum

- CM for Social Services – Cllr Paul Cockeram
- CM for Community and Resources – Cllr David Mayer
- CM for Education and Skills – Cllr Gail Giles

Champions:

Older Persons Champion: Cllr Trevor Watkins

Disabled and Vulnerable Persons Champion: Cllr Kate Thomas

Carers Champion: Cllr Tracey Holyoake

Poverty Champion: Cllr Phil Hourahine

Armed Forces Champion: Cllr Mark Spencer

Homelessness & Supporting People Champion: Cllr Yvonne Forsey

Biodiversity Champion: Cllr Laura Lacey

BME Champion: Cllr Majid Rahman

Social Services Rota Visit:

Cllr Tracey Holyoake

Cllr Laura Lacey

Cllr Kate Thomas

Cllr Trevor Watkins

Cllr Joan Watkins

Cllr David Williams

Cllr C Townsend

Cllr Janet Cleverly

5. **Appointments to External Bodies**

Each Group Leader agreed to pass the appointments of members to external bodies to the proper officer for recording in the minutes. The following appointments were submitted.

Outside Body	No	Appointments 2018
Aneurin Bevan Health Board (Stakeholder Reference Group)	2	Cllr Laura Lacey Cllr Joan Watkins
Arts Council for Wales: SE Wales Regional Committee	1	Cllr Debbie Harvey as CM for Culture and Leisure

Outside Body	No	Appointments 2018
Caldicot & Wentlooge Internal Drainage Board	4(+4)	<p>4 Members Cllr Graham Berry Cllr Phil Hourahine Cllr Richard White Matthew Jones</p> <p>4 Substitutes Cllr Trevor Watkins Cllr John Richards Cllr Ray Mogford Steve Davies</p>
Citizens Advice Bureau	1	Cliff Suller
Community Chest Local Panel	3	Cllr Jason Hughes Cllr Debbie Davies Cllr Mark Spencer Cllr Charles Ferris
Communities First Partnership	1	Cllr David Mayer as CM for Community and Resources
Communities First Cluster Groups	4 (+4)	<p>Central: Cllr Miqdad Al-Nuaimi (sub: Cllr Majid Rahman)</p> <p>East: Cllr Debbie Harvey (sub: Cllr Laura Lacey)</p> <p>North: Cllr James Clarke (sub:Cllr Jane Mudd)</p> <p>West:Cllr Trevor Watkins (sub:Cllr Debbie Wilcox)</p>
Community Health Council, Newport Committee	3	Cllr John Guy Cllr Joan Watkins Elaine Bryant
Consortium of Local Authorities in Wales (CLAW)	1	Leader: Cllr Debbie Wilcox
Credit Union	1	Cllr Stephen Marshall
Education Achievement Service board member (Company Board)	1	Cllr Roger Jeavons (sub: Cllr Debbie Harvey)
Education Achievement Service Commissioning Group (Education) (JEG)	1	Cllr Gail Giles (as CM Education) (sub: Cllr Debbie Davies)
EAS Scrutiny Panel	2	Cllr David Mayer Cllr Laura Lacey
EAS Audit & Risk Assurance Committee	2	Cllr David Mayer Cllr Laura Lacey

Outside Body	No	Appointments 2018
East Newport Social Care Centre	1	Cllr John Guy
Fairness Commission	2	Cllr Kate Thomas Cllr William Routley
Friends of Newport Transporter Bridge	1	Cllr Charles Ferris
Food Waste Treatment Partnership	2	Cllr Ray Truman Cllr Roger Jeavons
Foster Panel	1	Cllr Graham Berry
Frailty Project Joint Committee	1	Cllr Paul Cockeram
Greater Gwent Archives Joint Committee	2	Cllr John Guy Cllr David Mayer
Greater Gwent Cremation Joint Committee	2	Cllr Roger Jeavons Cllr Debbie Davies
Growing Space	1	Cllr Margaret Cornelious
Gwent Association of Voluntary Organisations Local Committee	1	Cllr Phil Hourahine
Gwent Police & Crime Panel	3	Cllr John Guy Cllr William Routley Cllr Jason Jordan
Indoor Bowling Association	1	Cllr Tom Suller
Jerome Gatehouse Collection Trust	1	Cllr Mark Spencer
Joint Council for Wales	2	Leader: Cllr Debbie Wilcox Cllr Mark Whitcutt
Living Levels Board	2	Cllr Jane Mudd Cllr Roger Jeavons
Merchant Navy Welfare	1	Cllr John Guy
Mon Brecon Canal Joint Steering Group	3	Cllr Roger Jeavons (as CM Streetscene) Cllr Jane Mudd (as CM Regeneration) Cllr David Mayer
Newport Harbour Commission	2	Cllr John Guy Alan Speight
Newport Live Board	2	Cllr Debbie Wilcox Cllr M Whitcutt
Newport Now BID	1	Cllr Jane Mudd

Outside Body	No	Appointments 2018
Newport Transport Board	6	Cllr Jane Mudd Cllr Mark Spencer Cllr Debbie Harvey Cllr James Clarke Cllr William Routley Owen James
Newport Women's Aid	1	Cllr Tracey Holyoake
Norse Joint Partnership Board (Norse Newport and NPS Newport)	2	Cllr Miqdad Al-Nuaimi Bev Owen
Pill Millennium Centre Trust	2	Cllr Tracey Holyoake Cllr Ibrahim Hayat
Prosiect Gwyrdd Joint Committee	2	Cllr Ray Truman Cllr Roger Jeavons
Public Services Board	2	Leader Chief Executive
Raven House Trust	1	Cllr David Fouweather
Reserve Forces & Cadet Association	1	Cllr Matthew Evans
Roger Williams & Queen Victoria Alms Houses (Stow Hill)	1	Cllr Miqdad Al-Nuaimi
Shared Resource Service (SRS) Strategic Board	1	Cllr David Mayer as CM for Community and Resources
South East Wales Racial Equality Council (SEWREC)	1	Cllr Majid Rahman
South East Wales Strategic Planning Group	1	Cllr Jane Mudd (as CM Regeneration and Housing)
South Wales Fire Authority	2	Cllr Herbie Thomas Cllr Ken Critchley
Vale of Usk Local Action Group	1	Cllr Jane Mudd
Wastesavers Limited	4	Cllr Mark Spencer Cllr Ray Truman Cllr Debbie Davies Cllr Roger Jeavons
Welsh Books Council	1	Cllr Jason Hughes
Welsh Joint Education Committee (WJEC)	1	Cllr Gail Giles (as CM Education) (to be confirmed by WLGA)

Outside Body	No	Appointments 2018
Welsh Local Government Association (WLGA)	3	Leader of the Council Deputy Leader Cllr Mark Spencer
WLGA Constitution	1	Leader of the Council
Welsh Purchasing Consortium (Joint Arrangements)	1	Leader of the Council
Williams Trust	4	Cliff Suller – appointed to 2020 Cllr Jason Hughes – appointed to 2020 Caroline McLachlan Roy McCabe

6. **Election of the Mayor**

It was proposed by Councillor Wilcox and seconded by Councillor M Evans and unanimously

Resolved

That Councillor Malcolm Linton be elected as the Mayor of the City of Newport for the next year. Councillor Linton, having made and subscribed the Declaration of Office and taken the Official Oath and Oath of Allegiance, expressed thanks for the honour conferred upon him.

Vote of Thanks

It was proposed by the Mayor and seconded by Councillor Wilcox and unanimously:

Resolved

That the Council's thanks be given to Councillor David Fouweather and Mrs Paula Fouweather for the manner in which they had discharged their duties as Mayor and Mayoress.

Response

The outgoing Mayor thanked everyone who had supported him during his time as Mayor, including family, friends, and colleagues in the Council. He especially thanked everyone for supporting for his nominated charities through the events and other fundraising activities held during the year. The outgoing Mayor concluded by showing a short film showing the many events he had attended and held during his time in office.

7. **Appointment of the Deputy Mayor**

It was proposed by the Mayor, seconded by Councillor M Evans, and unanimously

Resolved

That Councillor Phil Hourahine be appointed Deputy Mayor for the ensuing year. Councillor Hourahine, having made and subscribed to the Declaration of Acceptance for the role of Deputy Mayor, expressed thanks for his appointment.

Report

Council

Part 1

Date: 24 July 2018

Subject **Appointments**

Purpose To agree the appointment of Council nominees to committees and outside bodies.

Author Democracy and Communication Manager

Ward General

Summary In accordance with its terms of reference within the Constitution, Council is responsible for appointing the members of Council Committees, and the Council's representatives on outside bodies. The current vacancies and nominations received are set out in the attached report.

Proposal **Council is asked to**

- i) **receive and approve the nominations for representatives, as listed in the report.**
- ii) **approve the recommendation of Newport's Standing Advisory Council on Religious Education to appoint a Humanist representative to that group (see Appendix 1).**

Action by Democracy and Communication Manager

Timetable Immediate

This report was prepared after consultation with:

- Council Business Managers
- Head of Law and Regulation

Background

In accordance with its terms of reference within the Constitution, Council is responsible for appointing the members of Council Committees, and the Council's representatives on outside bodies. The current vacancies and nominations received are set out below.

Any vacant appointments / nominations received after the publication of this report, will be announced at the Council meeting by the appropriate Business Manager or Group Leader.

Internal Appointments

Committee	No. of Vacancies / Replacements	Nominations Received
Planning Committee	1 replacement	Cllr Christine Jenkins to replace Cllr Malcolm Linton
Democratic Services Committee	1 replacement	Cllr Laura Lacey to replace Cllr Jane Mudd
Performance Scrutiny Committee – People	1 replacement	Cllr Rehmaan Hayat to replace Cllr Laura Lacey
Performance Scrutiny Committee – Place and Corporate	1 replacement	Cllr Ibrahim Hayat to replace Cllr Laura Lacey
Performance Scrutiny Committee – Partnerships	1 replacement	Cllr Jason Hughes to replace Cllr Graham Berry
Overview and Scrutiny Management Committee	1 replacement	Cllr Graham Berry to replace Jason Hughes
Standards Committee	1 vacancy	Dr Paul Worthington to be appointed as co-opted member
Welsh Language Champion	1 vacancy	Cllr Jason Hughes

Appointments to External Organisations

Organisation	No. of Vacancies / Replacements	Nominations Received
EAS Audit and Risk Assurance Committee	1 replacement	Cllr Deb Davies to replace Cllr David Mayer

Governing Body Appointments

Governing Body	No. of Vacancies / Re-appointments	Nominations Received
Gaer Primary	2 reappointments	Cllr Debbie Wilcox and Cllr Mark Whitcutt
Kimberley Nursery	1 reappointment	Anne Iles

	1 vacancy	Cllr Paul Cockeram
Maesglas Primary	1 reappointment	Cllr Stephen Marshall
Jubilee Park Primary	1 vacancy	Cllr Rehmaan Hayat
Llanwern High	1 vacancy	Katy Rees
Rogerstone Primary	1 vacancy	Chris Lacey
St Mary's RC Primary	1 vacancy	TBC
Ysgol Bryn Derw	1 vacancy	Anne Drewett

Standing Advisory Council on Religious Education

In addition to the usual appointments, Council is also asked to approve the recommendation of the local Standing Advisory Council on Religious Education to appoint a Humanist representative to Committee A (faith groups) of SACRE. Attached at Appendix 1 is the submission from Newport SACRE requesting this change.

Proposal

Council is asked to

- i) **receive and approve the nominations for representatives, as listed in the report.**
- ii) **approve the recommendation of Newport's Standing Advisory Council on Religious Education to appoint a Humanist representative to that group (see Appendix 1).**

Comments of Chief Financial Officer

There are no financial implications directly arising from this report.

Comments of Monitoring Officer

The appointment of individuals to serve on outside bodies is a Local Choice function under the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007. The Council has determined that responsibility for this function shall rest with Full Council unless delegated by the Council.

The new Welsh Government guidance provides that humanists (and other non-religious groups) can be appointed to SACRE as full voting members, provided the Council considers that their views are analogous to religious beliefs and that their views are reflective and representative of the wider community. SACRE have considered the request from the Humanist Association and are recommending that the current membership and constitution of the group is amended to include an additional place for a humanist representative.

Background Papers

Newport City Council Constitution

Dated: July 2018

APPENDIX 1

Newport SACRE

Purpose: Request for Council to increase Committee A(faith groups) membership of SACRE by one place.

Reasons: Newport SACRE prides itself on its inclusive nature and the range of diverse views that are represented on this committee. A member of the Humanist Association has written to SACRE seeking a place and this was supported by the SACRE committee. It is the Council that decides on the composition of the membership of SACRE and therefore SACRE is recommending to the Council that they consider this increase of membership of Committee A by one place to accommodate the Humanist request.

The arguments for inclusion of the Humanist UK Association (Wales) on SACRE would include

1. The letter from Kirsty Williams of May 2018 that to ensure compatibility with the Human Rights Act she has ruled that representatives from non-religious belief systems (such as Humanism) may be appointed to Group A.
2. The 2017 revised GCSE specification for Religious Studies from WJEC includes the study of secular as well as religious beliefs and this will be assessed in the examination. The specification states:
 - *The specification will develop learners' knowledge and understanding of religions and non-religious beliefs, such as atheism and humanism*
 - *All candidates must also consider non-religious beliefs, such as those held by Humanists and Atheists (this will be explicitly assessed in the (d) questions in the Life and Death theme).*
3. There is acceptance in the current agreed syllabuses in Wales that part of the RE skill of engaging with fundamental questions should give pupils opportunities to "interrogate a range of evidence from religious and non – religious sources... in order to consider issues raised"

It is therefore the opinion of the SACRE committee that a Humanist representative could add value to the debate and discussions that take place in SACRE.

Supporting Documents

- Current Membership List
- Letter of Cabinet Secretary for Education dated May 3rd 2018.

APPENDIX 1a

THE CITY OF NEWPORT SACRE – MEMBERSHIP (JUNE 2018)

Local Authority

Councillors - Laura Lacey (Chairperson), Tracey Holyoake, Ibrahim Hayat, Rehmaan Hayat and Joan Watkins

Education - Andrew Powles, Asst Head of Education, Engagement & Learning, Martin Dacey, Head of GEMS

Independent RE Adviser for SACRE – Vicky Thomas (RE Consultant) till July 2018

Faith Representatives

Church in Wales - Susie Hunt, Kath Sperry / Rebecca Penn

Roman Catholic – Patricia Landers

Baptist – Huw Stephens

Methodist – Vacancy

Evangelical Churches – Gifty David

Presbyterian Church of Wales / United Reformed Church – Ms Kirsty Mabbot

Salvation Army – Vacancy

Hindu – Soam Sharma

Jewish – Abraham Davidson

Sikh – Neeta Singh Baicher

Muslim – Sabina Begum

Professional Associations

National Union of Teachers/ATL – Sally Northcott (vacancy from June 2018) and Joanne Crawley

National Association of School Teacher/Union of Women Teachers – Nicola Huggleston

National Association of Head Teachers – Heather Vaughan

Secondary Head Teachers' Association (ASCL) – Lana Picton

UCAC – Kirsten Hicks

APPENDIX 1b: Letter of Cabinet Secretary for Education follows:



Local Authority Directors of Education

3 May 2018

Dear Colleagues

I am writing to update you in relation to the governance and membership on Standing Advisory Councils on Religious Education (“SACREs”) and Agreed Syllabus Conferences (“ASCs”).

As you may be aware, the extant guidance relating to SACRE membership is laid out in Circular 10/94 (published by the former Welsh Office in 1994). The circular is non-statutory and is neither binding nor authoritative but there have been a number of queries recently on the issue of membership to Group A of a SACRE. Specifically, on whether persons who hold non-religious beliefs (such as Humanists) should be permitted full membership on Group A in light of the Human Rights Act 1998. For information, details on how membership to a SACRE is constituted is included at Annex A.

The circular states at paragraph 103:

“The inclusion of representatives of belief systems such as humanism, which do not amount to a religion or religious denomination, on Committee A of an agreed syllabus conference or Group A of a SACRE would be contrary to the legal provisions referred to at paragraph 102”.

The appointment of persons to a SACRE is a matter for local authorities and the SACREs. However, taking legal advice into consideration, I am of the opinion that representatives from non-religious belief systems may be appointed to Group A of a SACRE or ASCs, to ensure that SACREs/ASCs fully reflect the beliefs of the communities that they are representing and to comply with current legislation.

It is the view of the Welsh Government that:

- to ensure compatibility with the Human Rights Act 1998 the provisions relating to the constitution of SACRES and ASCs in the 1996 Act are to be interpreted as

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Kirsty.Williams@llyw.cymru
Correspondence.Kirsty.Williams@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

permitting the appointment of persons who represent holders of non-religious beliefs in the same way as they permit the appointment of persons who represent holders of religious beliefs; (section 390(4)(a) of, and paragraph 4(2)(1) of Schedule 31 to, the 1996 Act). However, we consider the non-religious beliefs adhered to by the person to be appointed must be analogous to a religious belief, such as humanism. To be “analogous” we consider the non-religious beliefs must in accordance with case law under the European Convention of Human Rights and the Human Rights Act 1998 attain the necessary level of cogency, seriousness, cohesion and importance to attract protection under the Convention Rights.

- an appointment is dependent on the relevant local authority’s opinion as to whether such a representative would help ensure that the relevant traditions in the local authority’s area are appropriately reflected in Group A. The final decision of an appointment rests with the local authority, and they are best placed to assess whether a SACRE has the necessary expertise and experience to properly discharge its function.

The same principle applies in relation to appointments to Agreed Syllabus Conferences (ASCs).

For the avoidance of doubt, the guidance set out in this letter supersedes paragraph 103 of Circular 10/94.

With regards to an updating Circular 10/94, I am aware that there are other areas of contention within the document that need to be addressed. As there are some complex issues, consideration of those matters is still on-going and therefore a review of the guidance will be considered once all information on this matter has been received.

I hope this provides clarification on these matters.

Yours sincerely



Kirsty Williams AC/AM

Ysgrifennydd y Cabinet dros Addysg

Cabinet Secretary for Education

Annex A

1. The functions of a SACRE are set out in section 375 of the Education Act 1996 (“the 1996 Act”) and broadly those are to advise a local authority in respect of matters relating to religious education and collective worship. Section 390 of the 1996 Act set out how a SACRE is to be constituted as follows:
 - a) a group of persons to represent Christian denominations and other religions and denominations as in the opinion of the authority appropriately reflect the principal religious traditions in the area. The number of persons appointed should reflect broadly the proportionate strength of the particular denomination or religion in the area (“Group A”);
 - b) a group of persons representing associations that represent teachers; and
 - c) a group of persons to represent the authority.
2. In addition a SACRE may include co-opted members onto it. Such members are to be appointed on the terms as may be determined by those co-opting that person i.e. the SACRE itself (section 392(5) of the 1996 Act). Co-opted members cannot take part in a group vote.

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Report

Newport City Council

Part 1

Date: 24 July 2018

Subject **Maesglas Public Spaces Protection Order**

Purpose To inform Council of the result of a public consultation on the proposed Public Spaces Protection Order for part of the Maesglas area of Newport.

To ask Council to consider the officer recommendations and to approve the draft Order.

Author Head of Law and Regulation

Ward Gaer

Summary A Public Spaces Protection Order (PSPO) is designed to prevent individuals or groups committing anti-social behaviour in a public space where the behaviour is having, or is likely to have, a detrimental effect on the quality of life of those in the locality; and the behaviour is or likely to be persistent or continuing in nature; and be unreasonable.

The Maesglas area includes a collection of shops situated on Cardiff Road. To the rear of these shops there is a public path used by residents and others to gain access to the shops, a community centre and houses. There are two other routes of access readily available to these locations.

The Police and local Ward Members have asked for the introduction of a PSPO to implement the gating of the path and other appropriate measures, following a prolonged period of high levels of complaints from members of the public regarding crime and anti-social behaviour close to the shops, the path to the rear of the shops and residential streets nearby.

Included with this report is evidence of the antisocial behaviour from Gwent Police, Newport City Homes and officers from the Council's Community Safety Warden Service, along with the results of a public consultation on three possible restrictions that could be included in a PSPO for the area, in addition to the closure of the path. The public consultation was approved by the Cabinet Member for Licensing & Regulation following consideration of a Cabinet Member report.

Following the consultation and officer recommendations, Council lawyers have drafted the PSPO – Appendix D.

Proposal That Council approves the Maesglas Public Spaces Protection Order, as detailed in Appendix D.

Action by Head of Law and Regulation

Timetable Immediate

This report was prepared after consultation with:

- Head of Finance
- Head of People and Business Change
- Cabinet Member for Licensing and Regulation

1. Background

1 What is a Public Spaces Protection Order?

- 1.1 A PSPO is designed to prevent individuals or groups committing anti-social behaviour in a public space where the behaviour is having, or is likely to have, a detrimental effect on the quality of life of those in the locality; and the behaviour is or likely to be persistent or continuing nature; and be unreasonable. The power to make an Order rests with local authorities, in consultation with the Police, Police and Crime Commissioner and other relevant bodies who may be impacted.
- 1.2 The Council can make a PSPO on any public space within its own area. The definition of public space is wide and includes any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission, for example a shopping centre. There are particular considerations for registered common land, town or village greens and open access land.
- 1.3 The maximum length of a PSPO is three years.
- 1.4 When making a PSPO, the Council must have particular regard to the rights of freedom of expression and freedom of assembly set out in the Human Rights Act 1998. Consideration of a PSPO will take place where there is material evidence of anti-social behaviour. Assessments will commonly include reports to the police, and various Council teams and partner agencies.

2 What kind of restrictions can be in a PSPO?

- 2.1 Restrictions and requirements are set by the local authority and can be blanket restrictions or requirements, or can be targeted towards certain behaviour by certain groups at certain times. They can restrict access to public spaces (including certain types of highway) where that route is being used to commit Anti-social behaviour.
- 2.2 Section 59 of the ASB etc. Act sets out the basis on which local authorities may make a PSPO.
It provides as follows -
 - (1) A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.
 - (2) The first condition is that:
 - (a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
 - (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
 - (3) The second condition is that the effect, or likely effect, of the activities—
 - (a) is, or is likely to be, of a persistent or continuing nature,
 - (b) is, or is likely to be, such as to make the activities unreasonable, and
 - (c) justifies the restrictions imposed by the notice.
 - (4) A public spaces protection order is an order that identifies the public place referred to in subsection (2) ("the restricted area") and—
 - (a) prohibits specified things being done in the restricted area,
 - (b) requires specified things to be done by persons carrying on specified activities in that area, or (c) does both of those things.
 - (5) The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order—
 - (a) to prevent the detrimental effect referred to in subsection (2) from continuing, occurring or recurring, or

(b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

- 2.3 Orders can be enforced by a police officer, police community support officer and delegated council officers. A breach of the Order is a criminal offence and can be dealt with through the issuing of a Fixed Penalty Notice of up to £100 or a level 3 fine of up to £1000, on prosecution.

3 Approving the Maesglas PSPO

This is matter for full Council to decide.

Essentially the Council needs to consider:

- Is there a specific problem caused by particular on-going activities?
- If so, what needs to be done to regulate or control the problem?
- What is the least restrictive way of achieving this?

Appeals against the setting up of a PSPO

Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue. Further appeal is available each time the PSPO is varied by the council.

4. What to include in a possible Maesglas PSPO?

- 4.1 The Police and local Ward Members have asked that Newport City Council considers implementing a PSPO within the Maesglas area of the Gaer Ward. The area proposed to become a PSPO is shown on the map included at **Appendix D** as part of the draft Order.

Evidence of problems in the area and provided in support of a PSPO is included in the Appendices to this report:

Appendix A from Gwent Police

Appendix B from Newport City Council Community Safety Warden Service

Appendix C from Newport City Homes

A PSPO is intended to provide the Council and Police with additional powers to require individuals or groups from refraining from certain actions or to do certain things within specified times and within a clearly specified geographical location, to quote the Act "it can either be a blanket restriction or requirement or can be targeted against certain behaviours by certain groups at certain times".

- 4.2 The proposed restrictions that were the subject of the public consultation were:

A. Gating of the path to the rear of Maesglas shops

To the rear of the Maesglas Shops there is a path which allows the public to gain access to the shops, a community centre and houses. Unfortunately it is also used frequently by groups of people to congregate, with drug possession/abuse taking place together with other forms of antisocial behaviour, including intimidation of nearby residents. The path is also used by groups of youths to disperse after causing problems on surrounding streets. The path allows foot access by some of the retailers located at the Maesglas Avenue end of the row of shops, into the rear of their businesses. The remainder of the area behind the

shops was fenced off some years ago and those premises can only be accessed from Bideford Road. It is proposed to gate the path and for the gates to be closed at all times unless required for access.

The positions of the proposed gates are shown in red on the draft PSPO at Appendix D.

An alternative route exists around the front of the shops on Cardiff Road, or along Maesglas Avenue and into the lane at the rear of Maesglas Avenue, accessed by turning into the road between 71 and 73 Maesglas Avenue.

Each of the retailers affected would be provided with a key to allow them legitimate access to the path, should this be required.

B. Not to loiter or congregate in a street

'Not to loiter or congregate in a street or public place and use intimidating or threatening behaviour towards members of the public, cause a nuisance or other antisocial behaviour.'

Within this report there is evidence from the Police which shows that groups gather in the street or residential areas using offensive or threatening behaviour towards residents, shop keepers or visitors, that is clearly intimidating and at times a criminal offence. There is also evidence of people being subjected to intimidation and threats to themselves and their property. The Police evidence covers the period from September 2016 until August 2017 and shows a diverse type of misbehaviour by groups and individuals.

The evidence by Newport City Homes focuses upon the impact on their tenants, whilst the evidence of the Community Safety Warden Service mirrors that of the Police.

The Police have stated that the benefit of the PSPO is where persons are engaging in this activity, or suspected thereof, even where the evidence might not be sufficient to meet the criminal standard of proof, the Police will be able to require them to leave the area. This power is not available elsewhere in law; a "Dispersal Order" requires the authority of a senior officer to be put in place, which does not allow for immediate action to resolve the anti-social behaviour taking place, and in any case, only lasts up to 48 hours.

The wording of the proposed restriction which was consulted on has been amended following legal advice but will have the same impact.

C. Drinking in a public place being restricted

'No person shall within the Restricted Area refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer to prevent public nuisance or disorder.'

The Police have also requested that this PSPO includes a public space drinking of alcohol banning order in order to reduce antisocial behaviour in the area.

D. Possession of controlled substances

'A person is prohibited from having in their possession, selling or supplying any intoxicating substance namely any substance with the capacity to stimulate or depress the central nervous system but does not include alcohol, tobacco or vaporisers; a person is required to surrender any such intoxicating substance in his/her possession when asked to do so by an

authorised officer in the Restricted Area. A person does not commit an offence under this Order where the said substance is used for a valid medicinal use.'

This restriction has been requested to prevent the possession and/or supply of drugs and other substances commonly known as “new psychoactive substances” or NLPs. It copies the constraint currently in place in Pill where a PSPO was enacted last year. There is evidence of drug misuse in this area too.

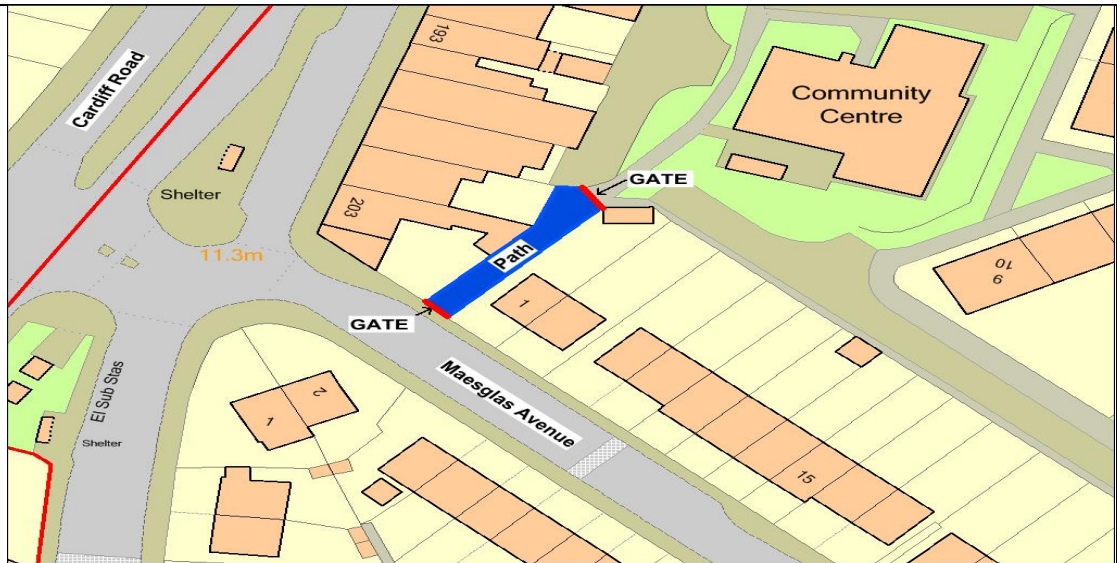
The wording of the proposed restriction which was consulted on has been amended to duplicate the restriction in the Pillgwenlly PSPO following legal advice but will have the same impact.

5. Consultation

5.1 Public consultation ran from 14 February 2018 until 12 March 2018.

5.2 In summary, the results of the public consultation are shown below. 79 people responded to the consultation.

Are you a.....?			
85.14%	Resident of Maesglas	2.7%	Worker in Maesglas
5.4%	Visitor	6.76%	Other
Have you experienced Anti-Social Behaviour in Maesglas in the past 12 months?			
7.89% (6)	Never	6.58% (5)	Rarely
22.37% (17)	Occasionally	63.16%	Frequently (48)
3 no reply			
Proposed Control Measures- Consultation outcome			
Control Measure 1			
Do you agree with the proposed gating Order?			
83.10% (59)	Agree	16.90% (12)	Disagree
If you disagree, why?			8 no reply
Concern was expressed by some participants that this would impact upon their foot travel around that particular area and prevent access to some services such as the bus stop/ shops and community centre. In contrast those in favour (majority) expressed real concern about crime in that lane taking place regularly.			



Have you been affected by / witness to this type of behaviour in Maesglas recently?

79.75% (63)	Yes	20.25% (16)	No
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Control Measure 2

A person is not to loiter or congregate in a street or public place and use intimidating or threatening behaviour towards members of the public, cause a nuisance or other antisocial behaviour.

97.33% (73)	Yes	2.6% (2)	No
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4 no reply

It can be seen that there is very strong support for this proposed restriction.

Have you been affected by / witness to this type of behaviour in Maesglas recently?

65.79% (50)	Yes	34.21% (26)	No
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no reply

Control Measure 3

Drinking in a public place being restricted - No person shall within the Restricted Area refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer to prevent public nuisance or disorder.

96.05% (73)	Yes	No 3.95% (3)
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3 no reply

Again there is strong support shown for this restriction to be included in the PSPO.

Have you been affected by / witness to this type of behaviour in Maesglas recently?			
69.33% (52)	Yes	30.67% (23)	No

4 no reply

Control Measure 4

Possession of controlled substances - A person is prohibited from having in their possession, selling or supplying any intoxicating substance namely any substance with the capacity to stimulate or depress the central nervous system but does not include alcohol, tobacco or vaporisers; a person is required to surrender any such intoxicating substances in his/her possession when asked to do so by an authorised officer in the Restricted Area. A person does not commit an offence under this Order where the said substance is used for a valid medicinal use.			
97.33% (73)	Yes	2.67% (2)	No

4 no reply

Have you been affected by / witness to this type of behaviour in Maesglas recently?			
76.00% (57)	Yes	24.00% (18)	No

4 no reply

Boundary of the proposed Order

The below image shows the boundary that is covered by the PSPO. What do you think we should do (tick your preference)?			
54.05% (40)	Remain the same	44.59% (33)	Make bigger
1.35% (1)	Make smaller		
If you have ticked 'make bigger' or 'make smaller', please give details.			

5 no reply

There were a total of 74 responses to this question and these are largely split in respect of remaining as proposed or increased, a slight tilt towards remaining the same.

Officers recommend extending the proposed area to cover Cardiff Road and houses across from the shops to avoid perpetrators simply moving to the other side of Cardiff Road.

Also the proposed area is recommended to be enlarged from that consulted on in such a way that makes the operation enforcement of it more credible and practical as it doesn't now cross property boundaries. This recommendation is justifiable and is supported by a credible percentage of respondents (44.59%) saying the area should be increased.

6. Financial Summary

- 6.1 The cost of procuring and installing the gates to the path will be £6,398. Newport City Homes have agreed to contribute 50% of the cost. Otherwise the PSPO will be funded through existing budgets.

7. Risks

Risk	Impact of Risk if it occurs (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Council puts in measures that are not supported	H	L	Listen to all groups that are affected.	Head of Law and Regulation
Council puts in measures that are disproportionate to the problems experienced / open to legal challenge	H	L	Ensure the measures that are introduced are balanced against the anti-social behaviour experienced and the right level of restrictions to address it.	Head of Law and Regulation

8. Links to Council Policies and Priorities

- 8.1 Ensuring that this work is completed as required will support the following Council Policies and Strategies:

The proposed PSPO has clear links to the aims and objectives of Newport City Council's Corporate Plan (relevant themes are "Resilient communities" and "A thriving city").

Newport's Community Strategy 2010-2020 "Feeling Good About Newport" (Relevant themes: "To be a prosperous and thriving city"; "To have a better quality of life"; "To have vibrant and safe communities").

The proposals also demonstrate that the service area is acting in accordance with the "Be Courageous" value outlined in the Corporate Plan: the proposal is ambitious in order to try and improve the situation in this area for the local community.

9. Options Available and considered

Option 1

Approve the proposed Maesglas Public Spaces Protection Order at Appendix D.

Option 2

Not to approve the proposed Order.

10. Preferred Option and Reasons

Option 1 - Approve the proposed Maesglas Public Spaces Protection Order as set out at Appendix D. This is supported by Gwent Police and is felt by Council Officers to be a proportionate response to the on-going anti-social behaviour being experienced in the area and a reasonable response to the public consultation undertaken.

11. Comments of Chief Financial Officer

- 11.1 The proposal to implement this PSPO will be met through a combination of external contribution and existing budget, therefore will not require any pressure on the medium term financial plan.

12. Legal Comments - Comments of the Monitoring Officer

- 12.1 The Council has a statutory power under the Anti-Social Behaviour, Crime and Policing Act 2014 to make Public Spaces Protection Orders in order to prevent types of anti-social behaviour which have, or are likely to have, a detrimental effect on the quality of life of those in the locality and the behaviour is or is likely to be persistent or continuing in nature. The nature and extent of the PSPO must be reasonable having regard to the type of behaviour and its impact on the public.
- 12.2 In accordance with the legislation and the statutory guidance, the Council is required to consult with the Police, the Police and Crime Commissioner and specific community groups, and to have regard to any observations made before deciding whether or not to extend and/or vary any PSPO. The results of the engagement with key stakeholders and the public responses to the consultation are summarised within this Report.
- 12.3 When considering the need to make a PSPO, the Council must act reasonably and, in particular, it must have regard to the Human Rights Act 1998. However, the rights and freedoms set out in the Articles to the Human Rights Act are qualified rights and can lawfully be restricted or limited where this is a necessary and proportionate means of achieving a legitimate aim, including public safety and the prevention of crime and disorder. It is a question of balancing rights and freedoms of individuals against the needs of the wider community. Therefore, the Council has to take a balanced decision regarding the need for a gating order restricting public access to the path at the rear of the shops and the other proposed restrictions and their impact on the freedoms and rights of individuals. Any order must be a reasonable and proportionate means of preventing or reducing the detrimental impact of any specific type of anti-social behaviour within the Maesglas area. When considering the need for and the impact of any PSPO, the Council also has to have regard to its public sector equality duty under Section 149 of the Equality Act 2010 and a full Fairness and Equalities Impact Assessment is attached to this Report.
- 12.6 Public support for a particular measure is not, of itself, sufficient grounds to make a PSPO. The Council needs to be satisfied that the proposed controls are justified because of a specific problem and a need to control the anti-social behaviour in order to protect the public. The Council also has to be satisfied that the extent of the controls or prohibitions is reasonable and that there are no alternative, and less restrictive ways, of regulating the problems. In this case, a gating order would appear to be reasonable and proportionate, as there is clear evidence that the path has become a focal point for anti-social behaviour in the area. Alternative public routes are available and keys can be given to those shop-owners with rear access off the path. Therefore, the path can be closed to the public at all times during the day, to avoid the need for the gates to be opened and closed at permitted times. The other controls are based on similar measures in the existing PSPO's in the City Centre and Pill and, again, can be regarded as a proportionate response to the particular anti-social behaviour problems identified in the immediate area.
- 12.7 There is a statutory right of appeal to the High Court within 6 weeks if a PSPO is considered to be unreasonable.

13. Comments from Head of People and Business Change

- 13.1 Evidence from Gwent Police, Community Safety Wardens and Newport City Homes indicates that there have been significant rates of anti-social behaviour recorded in the Maesglas area. Public consultation with local residents has also shown a high level of concern about crime and anti-social behaviour and has indicated support for the proposed PSPO measures. PSPO's are already in place in Newport City Centre and more recently Pillgwenlly and provide the Police with additional enforcement powers to address key issues which concern communities and it is believed that similar powers could be effective in Maesglas. As PSPO powers are restrictive it is vital that decisions are based on sound evidence, public consultation and a robust Fairness and Equalities Impact Assessment.
- 13.2 There are no HR related matters arising directly from this report.

14. Comments of the Cabinet Member for Licensing and Regulation

- 14.1 I fully support the proposed Maesglas Public Spaces Protection Order. There is clearly a need for these measures and the proposed controls are a reasonable and proportionate way of regulating the anti-social behaviour being reported by the community.

15. Local Issues - Comments of Ward Councillors

- 15.1 Public Spaces Protection Orders are intended to deal with a particular nuisance or problem in a specific area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are intended to help ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.
- 15.2 Given that these orders can restrict what people can do and how they behave in public spaces, it is important that the restrictions imposed are focused on specific behaviours and are proportionate to the detrimental effect that the behaviour is causing or can cause, and are necessary to prevent it from continuing, occurring or recurring.
- 15.3 The Gaer Ward Councillors would therefore wish to support the introduction of a PSPO in Maesglas which would restrict the behaviours by the minority of residents that are having a detrimental effect upon the majority of the community particularly but not exclusively groups of youths roaming outside the shopping area and acting in an intimidatory manner. People openly dealing drugs on the streets and smoking drugs in a public place. Young people riding motorbikes in a dangerous and reckless manner without wearing crash helmets and speeding in a residential area.
- 15.4 Our concern is the security and safety of residents and their right to quiet enjoyment of the community environment. We believe that this measure will improve the prospects of achieving that.

16. Scrutiny Committees

No consultation with Scrutiny Committees has been undertaken.

17. Equalities Impact Assessment and the Equalities Act 2010

An Equalities Impact Assessment has been completed and is included at Appendix E.

18. Children and Families (Wales) Measure

The proposals set out in this report are not relevant to the aims of the Children and Families (Wales) Measure.

19. Wellbeing of Future Generations (Wales) Act 2015

The proposed PSPO would contribute to a number of the Well-being Goals set out in the Wellbeing of Future Generations (Wales) Act 2015. Relevant goals are “A more equal Wales”, “A Wales of cohesive communities”, “A Wales of vibrant culture and thriving Welsh language”. The proposals would contribute by helping to prevent problems of anti-social behaviour blighting the area, which would help to build a cohesive and sustainable community.

20. Crime and Disorder Act 1998

The proposals set out in this report are designed to reduce Crime and Disorder and have been requested in part by the Police.

Consultation

A summary of the results of the consultation undertaken is included previously in this report.

Background Papers

Home Office Guidance on PSPOs

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364851/Public_and_open_spaces_information_note.pdf

List of Appendices

Appendix A

Gwent Police - evidence of anti-social behaviour incidents

Appendix B

Newport City Council Community Safety Warden Service- evidence of anti-social behaviour incidents

Appendix C

Newport City Homes- evidence of anti-social behaviour incidents

Appendix D

Draft Maesglas Public Spaces Protection Order

Appendix E

Fairness & Equalities Impact Assessment (FEIA)

Appendix A

Gwent Police – Evidence provided in support of the application.

Maesglas Avenue

Log 67 01/09/16 05:22 hours: [REDACTED]'s car wing mirror has been kicked off whilst parked overnight on Maesglas Road. It has happened many times before even when the vehicle has been parked away from the house and the victim is still targeted.

Log 249 05/09/16 13:03 hours: Male in a group on the corner near the shops and Maesglas Avenue enue on bikes, male selling weed.

Log 26 05/09/16 00:45 hours: There are approx. 10-15 males in Buxton Close arguing amongst themselves. A second call was received that they were screaming and shouting.

Log 478 06/09/16 18:24 hours: 15-20 males causing issues o/s number 1 Maesglas Avenue

Log 292 09/09/16 15:02 hours: Newport City Homes workers were by the shops on Cardiff Road and Maesglas Avenue junction installing cameras, youths were throwing stones at them.

Log 468 11/09/16 18:34 hours: Caller [REDACTED] had his wing mirror kicked off over night.

Log 376 12/09/16 17:04 hours: Boys making trouble in the garden near Maesglas Shops on Cardiff Road, throwing things in the gardens.

Log 617 12/09/16 23:28 hours: Caller [REDACTED] stated there were 9 youths in the alley behind the shops bragging that they had kicked a neighbours wing mirror off reducing its value. Youth disturbance in the background and also kicking bins around.

Log 271 13/09/16 15:09 hours: Caller [REDACTED] reported [REDACTED] rear passenger side light was smashed overnight, stating this is around the 10th time this has happened. Police attended the address last night and it is possible that the youths saw him speak on the doorstep and committed the damage in retaliation.

Log 426 13/09/16 18:55 hours: There are a gang of around 6-8 youths aged between 12 and 15 years in Maesglas Junior School grounds and hanging around in the school buildings. They were not doing anything specific but there had been lots of damage caused recently.

564 13/09/16 23:16 hours: There are 10 lads ages 15-16 years throwing eggs at cars on Cardiff Road near Maesglas Shops. Some are on foot and some on bikes.

Log 530 14/09/16 20:23 hours: Police attended the area on routine patrols due to the youth annoyance in the area. An officer reported that around 15-20 youths were egging him and colleagues on Maesglas Avenue.

Log 536 14/09/16 20:36 hours: Yobbos have just kicked a ball in an old ladies face and their language is disgusting, on Maesglas Avenue. Around 12 youths aged 14-18 years.

Log 12 15/09/16 00:35 hours: Youths on Maesglas Avenue throwing items at cars and being noisy, swearing as well and keeping the caller awake. It is an ongoing issue every night.

Log 418 15/09/16 18:57 hours: Ongoing Anti-social behaviour in the area around Maesglas Avenue and the shops on Cardiff Road. Last night the caller had chilli sauce sprayed on the front door and a large group outside today. Every time there is a large group there, he gets his car or property damaged. 15 youths including a couple of females all under 18 years and they have a motorbike they are using.

Log 204 16/09/16 12:11 hours: Police moved youths on last night but afterwards someone threw a drinks can at the window, the house being near the shops. It didn't cause damage but it woke the [REDACTED] Youths ran off towards the community centre. The caller believed that the incident was hate related to race or religion.

Log 464 17/09/16 19:03 hours: Caller reporting that there are always boys hanging around in the back lane and now they have a punch bag attached to the fence of a neighbouring property which caused damage to said fence. When the home owner removed the punch bag, the youths threw pieces of metal into the garden. The group was 6 strong and on a regular basis cause residents to fear for their safety.

Log 574 17/09/16 21:47 hours: 12 males were on Bideford Close smashing a fence down and all on bikes. It transpired that they thought a party was taking place and no damage was actually caused.

Log 534 18/09/17 19:10 hours: A group of 8-12 youths were on Bideford Road, causing problems, throwing things in gardens, kicking and climbing the garden fences and front door. They previously have put painted hand prints on a fence and sprayed shaving foam on the front door. Thi shad been going on for 3 weeks

Log 537 19/09/16 21:13 hours: Caller who lives near [REDACTED] Cardiff Road, states that eggs and stones were being thrown at his windows. This is a nightly occurrence about 20 youths were in the alley way behind the shops. The caller was threatening to go out with a baseball bat as it had been going on for 2 years. A female at the address was heard to be crying down the phone.

Log 549 19/09/16 21:32 hours: The caller stepped out of the Chinese takeaway at Maesglas Shops on Cardiff Road and youths threw stones at them causing no injuries.

591 19/09/16 23:06 hours: Kids hanging around outside Maesglas Shops on Cardiff Road, around 12 of them on bikes causing a nuisance, smoking and bending plastic bollards in the middle of the road. They set a bin on fire by the shops and South Wales Fire and Rescue were contacted.

Log 594 19/09/16 23:10 hours: There are 10 youths on Cardiff Road on bikes near Maesglas Shops. There was a concern that they would be injured as they were in the road and cars were having to go round them.

Log 383 21/09/16 17:19 hours: Local resident [REDACTED] had his car damaged overnight and took it to the garage who stated it looked like it had been kicked. The cost of damage was £140. He believes he is being targeted due to his race or religion.

Log 407 22/09/16 19:05 hours: For the last 30 minutes a group of 10 males and 1 female were outside the callers property on Maesglas Avenue, kicking the fence. No damage caused however the group then moved to the front of the property in the street and stood in a neighbours front garden.

Log 530 22/09/16 22:03 hours: Around 15 youths throwing stones at the window of the Wai Wai takeaway at Maesglas Shops on Cardiff Road.

Log 116 23/09/16 09:16 hours: Report of youths throwing stones at passers by last night at Maesglas Shops on Cardiff Road. This is ongoing and the caller is fed up of it when he goes to pick his wife up from work.

Log 410 23/09/16 18:14 hours: There are 40-50 adults and children fighting behind Shepherds Fish Bar on Cardiff Road junction of Maesglas Road.

Log 413 23/09/16 18:15 hours: Gang of youths in Maesglas Avenue fighting with a [REDACTED] neighbour over damage to [REDACTED] car.

Log 486 23/09/16 20:24 hours: There was a fight in the street, Maesglas Avenue earlier on. Police attended and dispersed them however the same males have returned and there are more of them now. 30 males, very noisy and swearing, riding their bikes in front of cars, kicking over bins etc.

Log 529 25/09/16 22:45 hours: There are 20-30 youths in the street Maesglas Avenue around 14-15 years old causing mayhem. Throwing bin lids around and causing damage.

Log 8 27/09/16 00:54 hours: 15 youths outside the social club at the top end of Maesglas Avenue were pushing a car into a ditch. The vehicle had been used by a local youth and burnt out previously.

Log 114 27/09/16 09:47 hours: Almost every day a group of kids from the Maesglas area cause a nuisance On Bideford Road chucking stones at house windows and people in the street. Some of them are very young and usually a group of around 5-7 mixture of males and females.

Log 463 27/09/16 18:54 hours: 8 to 10 youths aged between 8 and 11 have just been throwing stones and pieces of metal at a small girl as she was out playing on Bideford Road. The group were from the Maesglas area.

Log 548 02/10/16 20:02 hours: Caller reported youths with a catapult throwing stones at passing cars outside Maesglas Shops on Cardiff Road.

Log 570 02/10/16 20:31 hours: Local resident [REDACTED] reported his wing mirror had been kicked and damaged sometime in the last 2 hours.

Log 539 03/10/16 20:45 hours: Resident near the rear of the shops reported youths throwing stones and shouting SNITCH and [REDACTED] LOVER. Dozens of youths then made off through the lane at the back of the shops.

Log 267 04/10/16 13:48 hours: 4 youths on Bideford Road and to the rear of the shops on Cardiff Road exchanging packages and money at all times of the day and night.

Log 536 05/10/16 20:17 hours: Resident near the rear of the shops called stating around a dozen youths aged 14-10 years were throwing stones at his property however no damage caused.

Log 576 05/10/16 21:12 hours: Another call received regarding the youths had returned calling him a grass and [REDACTED]. A dozen or so returned with iron bars, they went down the lane and caller was worried that it was in retaliation, worried about what damage they might cause.

Log 622 09/10/16 23:29 hours: Youths in the area are smashing up the Chinese on Cardiff Road and Maesglas Avenue junction. There was no damage caused and youths dispersed.

Log 479 11/10/16 19:22 hours: The victim parked his car [REDACTED] near Maesglas Road and Avenue leaving the keys inside. When he returned after 10 minutes, the vehicle was gone but later located in Buxton Close minus the keys. A youth approached him to see if he wanted to buy the keys back and a small sum of money was agreed and vehicle removed.

Log 563 12/10/16 21:38 hours: Around 12 youths nearby on motorbikes, also throwing various objects including bottles around to the rear of the shops between Cardiff Road and Maesglas Avenue.

Log 582 12/10/16 22:27 hours: Youths are throwing water bombs and stones riding a motorbike and throwing stones at houses in the area of Maesglas Road.

Log 138 13/10/16 11:07 hours: A known local youth was causing a nuisance on Maesglas Road and Cardiff Road by riding an off road bike.

Log 270 13/10/16 14:25 hours: Caller stated that 2 days ago his vehicle was stolen [REDACTED] near to the junction of Maesglas Avenue and Cardiff Road then around 22:30 hours last night a motorbike rode into his front garden and tore up the grass.

Log 478 13/10/16 20:22 hours: Youths throwing fireworks at a residential home by the community centre on Bideford Road.

Log 138 15/10/16 09:28 hours : Sometime overnight a vehicles rear window and windscreen had been smashed by a brick.

Log 618 15/10/16 22:56 hours: Youths throwing missiles at the Chinese takeaway on Cardiff Road.

Log 220 16/10/16 12:55 hours: A resident of [REDACTED] reported that persons had purposely thrown paint all over the road which landed on parked vehicles. The caller also had fireworks put in [REDACTED] garden yesterday and the youths responsible are at the end of the street aged 18-25 years and continually causing anti-social behaviour.

Log 507 18/10/16 21:07 hours: Caller from [REDACTED] reported a gang of youths had been outside since 11am that morning being loud and rowdy waking [REDACTED]. They were kicking off as the shop had refused to sell them eggs. They were a group of 10-15 mixed genders and 15-22 years old.

Log 289 22/10/16 14:53 hours: A group of 5 youths in the lane at the rear of Buxton Close throwing fireworks at cars.

Log 297 22/10/16 15:02 hours: About 10-15 youths were in the alley way behind Cardiff Road shops letting off fireworks. They then moved to behind the houses and the community centre. The area is too build up for this type of activity which was causing local residents distress.

Log 434 22/10/16 18:56 hours: Caller from [REDACTED] reported boys letting off fireworks and aiming them at members of the public. Police attended and witnessed 30 youths running around with fireworks. A further call from another resident stated that the fireworks were being aimed at houses, cars and passers by. They had already hit 2 cars and almost hit a pedestrian.

Log 436 22/10/16 15:58 hours: Reporting the same that youths were throwing fireworks at cars and each other on Maesglas Avenue and Cardiff Road by the shops.

Log 443 22/10/16 19:11 hours: A large group of males setting off fireworks but aiming them towards cars houses and passers by.

Log 449 22/10/16 19:17 hours: Kids setting off a fire in the street and in the callers garden. The callers children were really scared.

Log 458 22/10/16 19.32 hours: Youths are throwing fireworks into the street in Maesglas Avenue. They are also in the lane behind the shops.

Log 333 25/10/16 17:04 hours: There were a large group of 10 plus youths on Maesglas Road near to the shops on Cardiff Road causing issues and annoyance to council workers, being abusive and making threats.

Log 249 27/10/16 13:58 hours: 10 males were fighting near the shops on Cardiff Road. One of the males said "have you got a knife" Youths were late teens early 20's. The youths made off behind the shops through the lanes.

Log 342 27/10/16 15:55 hours: There were 8 boys kicking a football on the lane by Maesglas Avenue and they kicked it into cars in the street. The caller thought there would be an accident and its always going on.

Log 484 27/10/16 19:50 hours: Around 6 youths of mixed genders on Bideford Road causing damage and attacking the shutters to the community centre, looking like they are trying to smash the lock off.

Log 487 28/10/16 20:29 hours: Caller [REDACTED] near the shops stated there were approx. 15 youths outside letting off fireworks, running around, shouting and screaming. The caller asked them to move on and be quiet but they continued to lean on the fence.

Log 492 29/10/16 20:57 hours: 25-30 kids on Maesglas Crescent letting off fireworks. A further call by a second resident stated there were 60 kids with industrial fireworks firing them up the road which is near a recent gas leak with the road dug up.

Log 575 29/10/2016 22:42 hours: Around 15 youths were launching fireworks at houses and in the road by Maesglas Shops on Cardiff Road.

Log 590 30/10/16 21:09 hours: Kids have set fire to bags of rubbish to the rear of Wai Wai takeaway, Maesglas Shops, Cardiff Road but no damage caused.

Log 349 31/10/16 16:44 hours: Last night 5 youths were causing trouble outside [REDACTED] on Maesglas Avenue. They were knocking the door, throwing things and being very noisy. They were 15-16 years old and hanging round the end of the street by the shops.

Log 736 31/10/16 23:43 hours: Youths are being a nuisance and rowdy on Bideford Road, around 15 in number and they are always being a problem.

Log 422 01/11/16 18:07 hours: Caller stated that they saw in the paper there was a dispersal order in the area and she just witnessed a group of youths in Maesglas Avenue.

Log 445 01/11/16 18:47 hours: A vehicle had crashed on Maesglas Avenue and persons had run off towards the shops

Log 446 01/11/16 18:47 hours: Car dumped in the road on Maesglas Avenue and boys ran off towards Cardiff Road. 5-6 youths and left the car door open.

Log 451 01/11/16 18:59 hours: kids have crashed a car and they were wiping the finger prints from the car. It was 6-7 children crashed into a tree and got out to run.

Log 536 01/11/16 22:00 hours: Gang of about 12 kids throwing bottles and iron bars around. They are on Maesglas Avenue.

Log 338 02/11/16 15:18 hours: There were a group of 20 youths aged between 17 and 20 years on push bikes on Maesglas Road near to the junction of Cardiff Road on the pavement and not letting persons pass. Elderly people were having to go into the road to pass. They were causing problems for everyone in the area.

Log 600 02/11/16 21:17 hours: Caller reported ongoing issues with youths for the last few months every single night between 11am and midnight. Tonight there are 10 youths aged 12-20 years. They are extremely loud and leaning on the callers wall also lit a small fire. The caller has [REDACTED] and youths are disturbing them.

Log 418 03/11/16 18:36 hours: Caller reporting 15 youths hanging around outside on Maesglas Avenue smoking weed and the caller could smell it from inside her house and has young children and the youths disturb them when going to bed. They had also been throwing fireworks into peoples gardens.

Log 426 03/11/16 18:41 hours: 5 male youths aged between 8 and 13 years old are kicking the door and fence on Bideford Road. It has been going on for 12 months and they are scaring the callers [REDACTED].

Log 524 03/11/16 21:23 hours: 3 Males firing fireworks at houses on Maesglas Avenue. They had been there for around 30 minutes and the caller had a firework hit [REDACTED] window.

Log 585 04/11/16 20:39 hours: 15-20 youths causing issues in the street of Maesglas Avenue. It's the same as usual.

Log 320 05/11/16 15:24 hours: Youths throwing eggs at cars on Maesglas Avenue. There were 7-8 youths aged around 13 years. A second caller reported the same thing.

Log 326 05/11/16 15:35 hours: 10 youths on Maesglas Grove threw something at a taxi as it drove past not causing any damage.

Log 444 05/11/16 18:06 hours: Around 30 youths with fireworks purposely aiming at windows of houses on Cardiff Road by the Maesglas shops.

Log 474 05/11/16 18:36 hours: Around 30 youths hiding behind the Wai Wai Chinese takeaway at Maesglas shops on Cardiff Road. They are throwing fireworks and one just hit a car but undamaged.

Log 641 05/11/16 21:29 hours: [REDACTED] house window has gone through on Maesglas Avenue and the youths responsible are hanging around the lane at the back of the property.

Log 674 05/11/16 22:06 hours: There are 30 or more kids in the back lane behind Maesglas Crescent throwing fireworks into the back gardens and kicking fences to the main road.

Log 384 06/11/16 17:19 hours [REDACTED] heard a crack last night but today realised that the top of the bedroom window at the front of the property has been cracked. There were youths in the area at the time so possible they were responsible.

Log 576 07/11/16 20:40 hours: 10 youths in the lane behind [REDACTED] house on Maesglas Avenue aiming fireworks at houses and one just landed in [REDACTED] back garden. They were also putting fireworks under cars in Buxton Close.

Log 374 09/11/16 18:29 hours: Around 30 boys aged 14-15 years were on Bideford Road near the garages by Winchester Close kicking off. One was heard to say Ill get you in a minute and some went to the lane behind the shops.

Log 473 09/11/16 20:42 hours: 16-17 youths lighting fires in the lane to the rear of Maesglas Avenue, being noisy and disruptive and putting drawing pins down on the lane.

303 10/11/16 15:57 hours: There are a large group of youths outside Maesglas shops on Cardiff Road, eggs and flour were thrown at the callers vehicle. This is an ongoing problem which causes them a great amount of distress and affects the business.

Log 366 11/11/16 17:32 hours: 2 youths taking down council fencing and parts off bikes on Maesglas Crescent. They had taken a significant part of the fencing and set panels alight in the park area to the rear of the crescent.

Log 118 14/11/16 10:28 hours: Whilst driving along Maesglas Road, 3 children threw a stone at the [REDACTED] car causing damage to a window.

Log 284 20/11/16 12:52 hours: Sometime over night [REDACTED] vehicle parked on Maesglas Avenue had been scratched on purpose. [REDACTED] thinks it was kids hanging around in the street overnight.

Log 365 20/11/16 14:51 hours: [REDACTED] on Maesglas Avenue is a repeat victim of Antisocial behaviour and there were 20 youths outside [REDACTED] property launching missiles at [REDACTED] house including bottles and rocks, also trying to damage [REDACTED] car.

Log 512 23/11/16 19:42 hours: [REDACTED] Cardiff Road, a group of youths hanging around called [REDACTED] an Islamic Beast. [REDACTED] on a previous occasion has been called ISIS.

Log 360 27/11/16 16:05 hours: Sometime over night [REDACTED] had been scratched in 3 different places when parked on Maesglas Road. It was believed that the local youths that hang around in the area were responsible and this sort of thing has happened to [REDACTED] on many occasions.

249 08/12/16 15:19 hours: 8 boys around 15-16 years old had just been trying to roll a car over. When they were shouted at, the youths ran off.

Log 484 13/12/16 20:02 hours: A large group of around 15 youths aged around 15 years were hanging around outside their house on Maesglas Avenue and near the shops, they had been there for around 3 hours. The caller is too scared to leave [REDACTED] house or ask them to leave and [REDACTED] could not get to sleep because of them.

Log 325 15/12/16 15:58 hours: A male youth had been seen in the area with large amounts of cash and drugs outside the shops on Cardiff Road junction with Maesglas Road.

Log 329 16/12/16 16:35 hours: 3 youths aged around 13 years were banging on the windows of Maesglas Junior School. When the caller asked them to move on they said f*** off and c***

Log 269 28/12/16 15:23 hours: There were 8 youths around 16 years old playing football on the junior school grounds and despite being asked to leave, the youths refused.

Log 72 02/01/17 08:49 hours: [REDACTED] Maesglas Avenue on 31/12/16 at 16:45 hours, there were 3 girls around 16 years sat on [REDACTED] wall. When [REDACTED] got out of the car they said "f***ing immigrant" and also damaged a waste bin.

Log 238 08/01/17 14:52 hours: Caller had [REDACTED] wing mirror kicked off sometime overnight which had happened many times before.

Log 441 13/01/17 19:39 hours: A local youth threw eggs at the victims window not causing any damage.

Log 340 15/01/17 16:12 hours: [REDACTED] called to say a group of youths had thrown stones at [REDACTED] car causing damage, outside Maesglas shops on Cardiff Road.

Log 372 16/01/17 17:49 hours: Problems with youths around 18-19 years old as they are hanging around outside the Chinese takeaway on Cardiff Road acting intimidating and causing an obstruction.

Log 172 25/01/17 12:26 hours: There are 4 youths tearing around in the streets Maesglas Avenue, Road and Crescent in a vehicle doing handbrake turns and nearly hitting another car. The youths were around 16 years old and the vehicle was believed to be stolen.

Log 499 25/01/17 22:45 hours: There are 5 youths outside Maesglas shops on Cardiff Road blasting a ghetto blaster for an hour and taking drugs.

Log 361 26/01/17 18:06 hours: 20 youths have gathered by the Wai Wai Chinese at Maesglas shops on Cardiff Road and also the lane behind. They will not move out of peoples way when they are trying to pass and are very intimidating.

Log 516 30/01/17 19:53 hours: A report received of 5-6 youths hanging around outside the Wai Wai takeaway at Maesglas shops on Cardiff Road, banging the window and being a general nuisance.

Log 231 09/02/17 13:44 hours: A male youth was dealing drugs in the Maesglas Grove. Money was exchanged for what was believed to be drugs. This is an ongoing problem.

Log 399 09/02/17 17:43 hours: Youths [REDACTED] (Maesglas Avenue) also hanging around in the lane to the rear of Cardiff Road shops, shouting and swearing, leaning on cars, smoking cannabis. They are aged between 13 and 20. [REDACTED] has asked them to move before but they return and [REDACTED] is scared.

Log 575 12/02/17 21:46 hours: Group of kids causing problems outside Maesglas shops on Cardiff Road and threw a can [REDACTED].

Log 532 13/02/17 21:19 hours: Ongoing issue with youths, they are in Maesglas Avenue kicking a ball, smoking weed and being extremely loud. Throwing rubbish into the [REDACTED] garden and waking t [REDACTED].

Log 390 14/02/17 18:30 hours: In Maesglas Avenue, youths have thrown eggs at [REDACTED] window. Unsure who did this but it has happened before.

Log 318 17/02/17 14:49 hours: Caller had to walk through a gang of about 30 teenagers who were in the lane to the back of Cardiff Road Shops near Maesglas Avenue. They were smoking cannabis. They refused to move so the caller had to push his way through and they will probably be dealing this afternoon.

Log 478/ 17/02/17 18:25 hours: There were males and females around 15 to mid 20's playing a stereo really loudly, smashing glass in the lane and throwing cans into the [REDACTED] garden near Maesglas Avenue and back of Cardiff Road. They are also smoking weed.

Log 540 17/02/17 19:51 hours: 12-15 youths around 15-16 years old are hanging around outside Maesglas shops, Cardiff Road hanging around asking people to buy alcohol for them. The hsop had to stop selling alcohol completely to other customers as they were not sure if it was for the kids or not.

Log 342 20/02/17 15:33 hours: Group of youths hanging around in Maesglas Avenue and the lane behind the shops on Cardiff Road. They are playing loud music and being disruptive. [REDACTED] could not walk past as there were so many and they were in the way and all on push bikes.

Log 235 21/02/17 13:44 hours: 2 boys are fighting on the corner of Maesglas Avenue and Maesglas Road and other youths were watching from the lane. This happens every school holiday.

Log 529 21/02/17 21:48 hours: There are youths on Bideford Road by the community centre shinign a high powered laser into passing vehicles.

Log 308 27/02/17 15:45 hours: [REDACTED] was walking through the lane at the back of Cardiff Road shops to Maesglas avenue when [REDACTED] came by a group of 15 youths on bikes. They were shouting, swearing, smoking cannabis and possibly a deal going on.

Log 436 27/02/17 19:21 hours: Boys on an off road bike riding up and down Maesglas Crescent causing a nuisance, no number plate.

Log 568 03/03/17 21:35 hours: There are around 50 youths fighting at the end of Maesglas Road coming out of the club.

Log 478 09/03/17 18:39 hours: The night before last [REDACTED] vehicle was damaged by the wing mirror being kicked off. The car was parked on Maesglas avenue junction of Maesglas Road near Cardiff Road. It is believed the local youths are responsible as they were seen hanging around.

Log 551 10/03/17 20:47 hours: South Wales Fire and Rescue called stating there was a motorcycle on fire in Maesglas Avenue. There is a periodic problem with youths setting fire to vehicles etc in the locality west of Newport.

Log 277 11/03/17 13:03 hours: A male aged 16 years is riding a petrol go kart who was nearly knocked over by [REDACTED]. Other vehicles are having to brake hard because of it and there are also other youths hanging around Bideford Road junction of Winchester Close who are dealing.

Log 279 11/03/17 13:07 hours: 12 youths in the street with a go kart and a motorbike, right in the middle of the street

Log 406 11/03/17 16:49 hours: There is a bike in the community centre on Buxton Road which is on fire and there were no persons around it. A further call was taken stating that local youths were interfering with the fire crew who asked for police attendance. A group of 40 had gathered. The fire was set alight next to storage containers which were damaged.

Log 487 11/03/17 18:17 hours: 6 youths aged 11 to 14 years on the roof of Maesglas Junior School.

Log 547 11/03/17 19:49 hours: After the fire on Bideford Road the youths were shouting abuse at elderly residents of the complex and also throwing stones at the caretaker.

Log 327 12/03/17 14:50 hours: A boy is driving a petrol go kart up and down Buxton Close. The caller was worried that he was going to kill someone as he was on the road. There was a group of lads around 16 years videoing it and then they disappeared into Winchester Close.

Log 358 12/03/17 15:46 hours: There is a gang of children climbing all over Maesglas Junior School.

Log 458 15/03/17 18:14 hours: There are 10-15 youths at the end of Maesglas Avenue smoking drugs, [REDACTED] could smell the drugs as [REDACTED] passed them earlier in the evening. They were also passing white packages around in exchange for money.

Log 511 15/03/17 19:17 hours: A large gang of youths causing issues on Winchester Close throwing stones near the community centre.

Log 565 15/03/17 20:16 hours: Approx 8 youths just ran up Maesglas Crescent towards the shops and as they passed the callers house, threw a lot of stones hitting the house and cars causing chip marks.

Log 50 24/03/17 06:40 hours: Callers 2 cars have been damaged overnight on Bideford Road, one window being damaged on each. No idea who did this.

Log 261 24/03/17 14:41 hours: Group of youths on bikes behind the shops on Cardiff Road and they are possibly dealing drugs.

Log 392 29/03/17 17:43 hours: There are 7 males in the bus stop outside the Wai Wai takeaway, Maesglas shops who appear to be using drugs. They are also smoking cannabis.

Log 309 04/04/17 14:57 hours: [REDACTED] window has been smashed on Maesglas Avenue and it possibly happened on Saturday night. Nothing was seen however there were pebbles in the garden but possibly not big enough to cause the damage.

Log 505 04/04/17 18:24 hours: Group of 6 youths aged approx. 12 years in the school grounds and when the caller asked them to move on, they were shouting and swearing at [REDACTED]

Log 606 06/04/17 22:19 hours: Big gangs are intimidating, they are riding bikes and doing wheelies causing harassment alarm and distress, on Maesglas Road, Avenue and Cardiff Road.

Log 181 08/04/17 10:33 hours: [REDACTED] stated that sometime overnight someone had smashed the outer pane of glass on their double glazed window. No persons were seen at all.

Log 268 08/04/17 13:27 hours: a group of youths on scooters and push bikes have moved a settee into the middle of the lane to the rear of the shops on Cardiff Road, preventing members of the public from getting passed.

Log 444 09/04/17 17:55 hours: Caller asked can something be done about the unruly youths. They hang around the rear of the shops, Maesglas Avenue and the surrounding area and the whole situation is getting out of hand with the mess and drug abuse, blocking paths and antisocial behaviour.

Log 439 15/04/17 20:15 hours: Caller heard 2 people talking and they said someone had chased them with a knife. The caller believed they were drug dealers and were always hanging around [REDACTED] Maesglas Avenue.

Log 509 16/04/17 21:46 hours: 4 youths around 15 years old have been on site of the school grounds throwing objects at the windows causing one to crack.

Log 295 17/04/17 14:36 hours: A large group of 10 kids are back at the school on Maesglas Road playing football in the grounds.

Log 360 17/04/17 16:44 hours: 7 youths are throwing stones at Maesglas Junior school windows causing no damage.

Log 258 20/04/17 14:00 hours: a young male is shooting a paint gun and has hit the window of the community centre on Bideford Road causing damage.

Log 290 21/04/17 14:33 hours: There are 7-10 bikes in Maesglas Grove pulling wheelies and also taking drugs ie cannabis.

Log 481 22/04/17 19:42 hours: There are 30 youths in the lane behind Maesglas shops on Cardiff Road. They are setting fire to crates and throwing stones at cars, drinking and smoking weed. The [REDACTED] person felt very scared.*****

Log 490 22/04/17 20:01 hours: 20-30 youths setting fires on Buxton Close and also had off road bikes. They managed to get 2 fires burning so South Wales Fires and Rescue attended. The youths were still hanging around therefore SWFR required police attendance.

Log 283 23/04/17 13:21 hours: Youths are by the shops on Cardiff Road riding off road bikes in the area and on pedestrian footpaths, smoking cannabis and drinking.

Log 524 23/04/17 19:25 hours: 16 youths were hanging around in the lane to the rear of the shops on Cardiff Road near Maesglas Avenue. They are lighting fires and causing a general nuisance

Log 179 24/04/17 12:20 hours: Car screeching around the estate including Maesglas Avenue and youths too young to drive were seen in the vehicle.

Log 375 24/04/17 17:14 hours: Another report of the same vehicle driving at high speeds in the Maesglas estate.

Log 256 26/04/17 14:10 hours: There were a group of 6 boys aged 19-20 years in the [REDACTED] garden on Buxton Close selling drugs refusing to leave. When they were asked to leave, the [REDACTED] was punched in the chest.

Log 426 26/04/17 18:34 hours: The victim of the previous incident on Buxton Close stated the youths were back and there were now 10 of them throwing stones at [REDACTED] house and had an angry dog. Police arrested one youth.

Log 578 07/05/17 21:34 hours: 2 youths riding one scooter with no lights, no helmets and wearing dark clothing, [REDACTED] almost hit them.

Log 468 10/05/17 19:14 hours: Report of a large gang of youths near to the shops on Cardiff Road near Maesglas Avenue, blocking the lane, intimidating residents and dealing drugs. The group were 20-40 strong on bikes and mopeds.

Log 341 12/05/17 16:36 hours: A local resident was out walking with [REDACTED] as [REDACTED] went through the lane to the rear of the Cardiff Road shops near Maesglas Avenue. A male on a motorbike sped past them at high speed just missing the [REDACTED]

Log 230 13/05/17 13:31 hours: There are boys throwing things in the [REDACTED] garden and stones at the windows.

Log 302 13/05/17 15:26 hours: A youth has been riding a scooter up and down Maesglas Road, pulling wheelies all day and night. He is with a group of females sat drinking on the wall. It is causing noise, is dangerous and obstructing the pavements and the caller is fed up.

Log 362 13/05/17 16:55 hours: There are 30 boys aged 16-20 years outside the [REDACTED] house on Buxton Close. The [REDACTED] could not leave the house as when they do, they throw stones at [REDACTED] and the house. This has been going on for more than a year.

Log 405 17/05/17 19:52 hours: A motorcycle is being driven as speed along Maesglas Road. It is being driven up and down the road on one wheel, so fast someone is going to get hurt.

Log 601 24/05/17 21:16 hours: There are 28 youths aged 15-25, mostly males but a few females too. All in the lane to the rear of Cardiff Road shops near Maesglas Avenue, a strong smell of cannabis was coming from the group which was going through the callers windows.

Log 577 25/05/17 21:14 hours: There are 30-40 boys and girls causing a nuisance by throwing bottles at cars. One of the bottles hit a car wheel, believed to cause no damage.

Log 313 27/05/17 13:29 hours: Youths gathering in the lane by Buxton Close and the rear of the shops on Cardiff Road causing issues, smoking weed and drinking. There are usually 30 or so aged 15-20 years old.

Log 589 27/05/17 22:50 hours: 4 boys aged 14-15 years are trying to break into Maesglas Junior School, they were climbing across the roof, jumped down and something smashed.

Log 386 28/05/17 17:42 hours: Ongoing problems with youths gathering, 40 or so of them of all ages. They are running through Buxton Close, into the lane behind Cardiff Road shops and behind Maesglas Avenue, drinking, dealing and being a nuisance. They also gather in Cefn Adda Close on push bikes, mopeds and near the community centre.

Log 584 29/05/17 20:47 hours: Approx 12 youths were outside the callers address on Maesglas Avenue, smoking cannabis, drinking, causing noise and trouble. The youths regularly drop empty drug bags, bottles and cans in the street and there are also disturbances. The caller was worried for their safety as this is an ongoing issue.

Log 344 30/05/17 15:34 hours: Caller [REDACTED] reported the wing mirror of [REDACTED] vehicle having been kicked off sometime overnight. There is also an ongoing youth annoyance issue including rubbish being thrown into their garden.

Log 470 30/05/17 18:28 hours: a gang of around 15-20 youths have been hanging around Maesglas Avenue since 09.30 hours, playing loud music, smoking weed and littering.

Log 585 31/05/17 21:58 hours: Approximately 8-10 youths are in the lane behind Cardiff Road shops and Maesglas Avenue, fighting, smashing bottles and laughing.

Log 58 01/06/17 03:12 hours: South Wales Fire and Rescue called to say there was a deliberate ignition of a motorised scooter in the back lanes behind Maesglas Avenue.

Log 441 01/06/17 17:35 hours: Approximately 6 youths aged between 16 and 23 years in the back lane of Maesglas Avenue causing a nuisance. They were riding mopeds on the lane and also a strong smell of cannabis.

Log 107 02/06/17 08:49 hours: Caller stated that there were a lot of youths outside [redacted] address on Maesglas Avenue the previous day and when police arrived, they all disappeared. They came back after police left and when the [redacted], they were called a grass, snake and a whole load of abuse was shouted in his direction. This person feels extremely vulnerable and intimidated.

Log 239 03/06/17 11:38 hours: A vehicle parked on Bideford Road was damaged sometime in the day by having both wing mirrors smashed.

Log 411 09/06/17 19:02 hours: Around 10 youths aged 11-14 years are on Maesglas Junior School grounds trying to climb the roof. Last week damage was caused to roof tiles and when they are asked to move, they shout a load of abuse.

Log 43 13/06/17 04:59 hours: Sometime overnight the victims vehicle had been broken into on Maesglas Avenue near the shops. Items were taken and youths were seen to be hanging around the previous night. Unknown if this was related.

Log 353 15/06/17 15:47 hours: 15 males around 16-18 years old were told to move on from Maesglas Avenue but then gathered on Bideford Road. They had been breaching a protection order when asked to move.

Log 475 15/06/17 18:49 hours: There are 10 youths in Maesglas Junior School grounds and there is a dispersal notice in place. Kids playing football were moved on.

Log 372 16/06/17 14:34 hours: There are approx. 15 youths in the lane behind Cardiff Road shops near Maesglas Avenue causing problems. They are on a moped and a motorbike pulling wheelies, smoking cannabis and there is a dispersal order in place.

Log 604 20/06/17 20:24 hours: There are 30 youths in Maesglas Avenue from 14-20 years old throwing bottles, shouting and using bad language.

Log 586 22/06/17 20:37 hours: 2 girls were on the roof of the junior school but believed no damage was caused.

Log 357 24/06/17 16:19 hours: There are around 20 youths aged between 14 and 20 hanging around on Maesglas Avenue near the shops causing a nuisance, smoking cannabis and throwing rubbish in gardens. The caller received abuse when challenging their behaviour

Log 415 25/06/17 17:44 hours: In excess of 20 youths congregating in the lane at the back of Cardiff Road shops near Maesglas Avenue, messing around on the road, leaving rubbish there and intimidating residents.

Log 378 27/06/17 17:16 hours: South Wales Fire and Rescue reported there was a deliberate fence fire on Maesglas Avenue which then affected a shed.

Log 219 29/06/17 12:44 hours: Youths are making a habit of sitting outside [REDACTED] on Maesglas Avenue late in the evening with a stereo which disturbs the family.

Log 528 30/06/17 19:45 hours: 12 youths being a mix of boys and girls are gathering outside the [REDACTED] which distresses the [REDACTED]. This is happening around 3 times a week.

Log 484 01/07/17 19:17 hours: A large quad bike and 2 mopeds have been riding in the Maesglas area erratically.

Log 502 02/07/17 19:29 hours: a quad bike is riding up and down Bideford Road on the grass and pavements ridden by 2 lads.

Log 530 06/07/17 19:41 hours: 50 youths are being a nuisance in the shops on Cardiff Road. The caller asked them to move on to which one replied "f*** off and drop dead"

Log 604 06/07/17 21:57 hours: Youths are in Maesglas Avenue throwing stones, swearing, racing up and down on off road bikes. This is happening all of the time and the caller was getting upset.

Log 615 06/07/17 22:10 hours: A large group of 20 youths between 14 and 18 years old were gathering at the top of Maesglas Avenue by the lane causing a nuisance, blocking the road and stopping cars passing. They were also using a motorbike with no registration number. The caller has to go out every morning and clean up after them.

Log 173 07/07/17 10:58 hours: A group of 8 males between 18 and 20 years old are congregating in the lane behind Cardiff Road shops near Maesglas Avenue using mopeds and off road bikes causing a nuisance. They use the garages off Winchester Close to store the bikes.

Log 192 08/07/17 10:38 hours: The callers car has been broken into 3 times in the last 2 weeks, sometime overnight and he believed he was being targeted due to [REDACTED]

Log 246 14/07/17 13:46 hours: There is drug dealing going on in the lane behind Cardiff Road shops and Maesglas Avenue. There were around 12 males in the lane being a nuisance and 1 on a motorbike racing up and down at speed.

Log 336 18/07/17 15:32 hours: two motorbikes and a quad were racing around the estate including Maesglas Avenue.

Log 107 22/07/17 06:56 hours: Sometime overnight the [REDACTED] vehicle had been entered but no damage was caused. House keys, wallet and bank card was taken and money spent [REDACTED]

Log 206 01/08/17 12:38 hours: Off road bikes were heard in Maesglas Avenue all morning. They were concerned that as there were children in the area there might be an accident.

Log 507 04/08/17 19:25 hours: The caller reports there was a long ongoing issue with groups of youths [REDACTED] but the youths are back outside in Buxton Close causing the caller to feel intimidated.

Log 304 05/08/17 14:12 hours: Youths were back outside gathering in Buxton Close. Around 9 of them aged 16-20 years and had motorbikes.

Log 386 05/08/17 16:58 hours: Group of 6-8 youths throwing things ion residents gardens at Buxton Close.

Log 514 07/08/17 20:00 hours: 20 youths on bikes acting like morons, doing wheelies and riding into traffic on Maesglas Avenue and the general area. They are being intimidating as the congregate around the shops.

Log 168 08/08/17 11:52 hours: There are around 30 youths outside the [REDACTED] address on Buxton Close shouting abuse and has been ongoing for years.

Log 246 14/08/17 14:13 hours: Youths are out in Buxton Close again throwing items.

Log 324 14/08/17 16:34 hours: There are 6 youths in the garden of the [REDACTED] address on Buxton Close.

Log 194 15/08/17 12:59 hours: Around 10 youths in the lane behind Cardiff Road shops and Maesglas Avenue, smoking drugs and playing loud music.

Log 337 22/08/17 15:52 hours: Youths on the road and pavements riding their bike dangerously and one was on a full quad bike. There were young children in the area playing and its quite dangerous for them.

Appendix B

Newport City Council Community Safety Warden Service – evidence provided in support of the application.

IN THE NEWPORT (GWENT) COUNTY COURT
NEWPORT CITY COUNCIL & GWENT POLICE

STATEMENT OF Barbara Watts dated: 9/10/2017

I, Barbara Watts of NEWPORT CITY COUNCIL, will say as follows:-

1. I am employed as an Antisocial Behaviour Liaison Officer by Newport City Council and am duly authorised to make this statement on their behalf.
2. My role includes identifying Hotspot areas of Antisocial Behaviour, identifying the causes and developing sustainable solutions. I work alongside the Community Safety Wardens who have a response service that responds to calls relating to Antisocial Behaviour In the area of Newport.
3. One such area that has caused great concern is the Maesglas Shops area of Newport. The Antisocial Behaviour has had a detrimental effect on the quality of life of local residents in the vicinity, and those working and visiting the local area.
4. From the 'Uniform' database that we use, I have been able to collate the calls that we have received about this area in relation to Antisocial Behaviour.
5. The Community Safety Wardens Service has received 21 calls since 29.09.2016 to 02.10.17; these calls are specifically related to Antisocial Behaviour relating to incidents of youths congregating in various streets causing a nuisance, drinking, dealing drugs, smoking cannabis, setting fires, littering and obstructing pedestrians/vehicles.
6. I have summarised the contents of the Community Safety Wardens logs as follows:-

Log No. 16/10256/ABGNPO – 29th September 2016 - Call relating to a group of seven males, five on foot and two on bikes. No identities known and all wearing dark clothing their hoods pulled up over their faces. Information passed to Police.

Log No. 16/10257/ABGNPO – 30th September 2016 - Call relating a large group of males congregating in the area of the lane adjacent to 1 Maesglas Avenue. No identities known and all wearing clothing deliberately to obscure their faces.

Log No. 16/11407/ABGNPO – 30th October 2016 - Call relating to a gang of approximately 20 youths causing problems, drinking, smoking drugs and throwing rubbish around.

Log No. 16/11478/ABGNPO – 31st October 2016 - Call relating to large group of approximately 30 youths congregating on Maesglas Avenue appeared to be intentionally blocking the road and obstructing vehicles and foot traffic.

Log No. 17/01065/ABDRSA – 28th January 2017 - Call relating to youths dealing and taking drugs – Measglas shops, Community Centre and the lane off Maesglas Avenue.

Log No. 17/02729/TVINIP – 12th March 2017 - Call relating to a group of youths running around the roof tops of Maesglas Primary School.

Log No. 17/03552/ABGNPO – 3rd April 2017 - Call relating to gang of youths being a nuisance in the lane, Maesglas Avenue

Log No. 17/03778/ABGNNPO – 9th April 2017 - Call relating to gang of youths smoking 'wacky backy' and being a nuisance littering and throwing rubbish everywhere near Maesglas Avenue and the shops.

Log No. 17/04262/ABDRPU – 22nd April 2017 - Call relating to youths gathering in the lane, lighting fires, drinking and throwing rubbish everywhere at the rear of Maesglas Avenue.

Log No. 17/04555/ABGNPO – 29th April 2017 - Call relating to youths drinking, smoking 'wacky backy', throwing rubbish and breaking bottles in the lane near the shops.

Log No. 17/04885/ABGNPO – 10th May 2017 - Call relating to youths hanging about making a mess and obstructing the lane making it difficult to get passed. Motor scooters parked everywhere. Pushbikes obstructing pedestrians in the area of the lane and near the Chinese Shop.

Log No. 17/04887/ABGNPO – 10th May 2017 - Call relating to youths being a pest in the lane and surround area of Maesglas.

Log No. 17/06917/ABGNPO – 4th July 2017 - Call relating to gangs of youths drinking, smoking and throwing rubbish everywhere.

Log No. 17/07581/ABGNPO – 20th July 2017 - Call relating to youths on bikes, motor scooters, gathering half way up access lane near Maesglas Avenue.

Log No. 17/08749/ABNVEH – 22nd August 2017 - Call relating to a small dark coloured motor bike with no number plates, racing up and down Maesglas Road and Maesglas Avenue late at night.

Log No. 17/08922/ABGNPO – 26th August 2017 - Call relating to antisocial youths gathering in the lane smoking drugs and drinking.

Log No. 17/09334/ABDRSA – 7th September 2017 - Call relating to drugs being sold in alleyway on Measglas Avenue.

Log No. 17/09981/ABGNPO – 24th September 2017 - Call relating to rubbish being thrown into the lane.

Log No.17/100009/ABGNPO - 25th September 2017 - Call relating to a large group of boys hanging around smoking and racing scooters/bikes up and down the path. Youths blocking the path, shouting and swearing.

Log No.17/10097/ABGNPO – 26th September 2017 – Joint Police/City Wardens Operation ‘MOSCOW’ in the Maesglas area. Report of several groups of youths spoken to and dispersed from the area.

Log No. 17/10312/ABGNPO – 2nd October 2017 – Joint Police/City Wardens Operation ‘MOSCOW’ in the Maesglas area continued. Several groups of males observed between the ages of 14 and 15 – not causing any nuisance.

I produce these logs, copies attached as Exhibit Ref. No. BW/01.

Appendix C

Newport City Homes – evidence provided in support of the application

Newport City Homes - Maesglas Avenue

The lane by Maesglas Action has been an issue for Newport City Homes for several years. The result is that the community is badly affected by the behaviour of the people that use this area on a daily basis and particular tenant's lives are so negatively impacted that they having to be moved out of the Maesglas to areas where these people do not know where they are due to the verbal abuse, acts of violence and threats they have received. This is causing an issue for NCH as it will make these properties hard to re-let, we know that unless serious action is taken to prevent the lane being used in this way all tenants living in these homes will experience issues here and request to move at some point. Tenants living further up the road and in other parts of Maesglas have also reported issues but many are concerned about coming forward to report issues due to fear of reprisals.

Dome camera installed Sent: 30 September 2016 below is account from engineers at Advanced electrical solutions

"When we arrived in Maesglas we were instantly bombarded with stones, bricks and eggs and time was not on our side. We contacted Newport City Homes to inform them of the hostility we had met and proceeded to install this with tech bolts just to get the camera installed. These tech bolts have a rubber washer on the inside to stop any water ingress. I do understand this probably wasn't the correct method but felt under the circumstances if we hadn't installed when we did that possibly one of us could have been injured or the violence escalating and one of the pedestrians waiting for a bus could have been struck with one of these objects.

Nolan Orford

Managing Director

Below is a list of incidents / issues:

2014 -2016	██████████ Maesglas Avenue	The tenants of ██████████ Maesglas Avenue were transferred to another property due to the issues they reported over several years in relation to the people hanging out in the lane between Maesglas Avenue and the community centre. They were offered a priority move as their rehousing request went to the council panel and moved out in June 2016. The tenants reported vandalism to their property, this group of people urinating in lane outside the property, dealing and using drugs here and general nuisance such as noise.
June 2016 -- present	██████████ Maesglas Avenue	The property was re-let to a new tenant. ██████████ was aware of the activity in this area but thought that as ██████████ was from Maesglas and knew a lot of these people as acquaintances

		<p>█ would be able to address the issues and leave █ in peace. Unfortunately these issues have escalated and the tenant has had issues since the first day of living here.</p> <ul style="list-style-type: none"> • There are 25-30 people congregating in the lane just outside █ Maesglas Avenue every day from 9/930am to 12am daily • They are there either on pushbikes, mopeds or parked up in cars revving their engines on and off all day • They play music loudly from their cars or bring their own sound systems which they have set up on the █ garden wall • They deal drugs from this location so cars pull up and stop outside the lane regularly • Drug bags are left in the lane or chucked into the █ garden • They smoke cannabis all day in the lane so the █ cannot open █ windows due to the smell • The level of noise is so high from the lane that the █ cannot hear █ TV above the noise • They leave all their rubbish behind including glass bottles which are often smashed onto the ground • They have thrown eggs at the front door of this property • They have brought their own sofa and armchairs to the area to sit down on • When the █ has been away they have used █ back garden to congregate in and were witnessed sitting on █ trampoline • They block the entrance to █ front garden and do not move out of the way when █ is entering and leaving • █ has had bikes stolen from █ garden • █ were beaten up by them when they confronted them • █ car was written off when it was drive into by one of this group • █ is verbally abused on a daily basis either outside █ property or when █ is seen in the area • On a personal level the █ are living in fear, they are trying to move urgently and do not like to be in the house on their own. They stay away as much as possible.
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20/06/2017	Maesglas Avenue	<p>Two CCTV cameras were fitted to [redacted] property on 20th June this year. The group of people initially moved further down the lane to be out of sight of the camera, they also started to use the area by the bus stop more frequently but the camera does not seem to be a deterrent, they are still dealing in the lane and do not seem to be concerned about being caught on camera. On the day it was installed they were overheard threatening to knock the camera off with a scaffolding pole. The [redacted] was concerned that the pole would end up going through one of the bedroom windows.</p> <p>Below is a list of incidents that were downloaded from the camera:</p> <ul style="list-style-type: none"> • 20/6/17 – images of youths congregating in lane • 20/6/17 – images of youths congregating in lane • 6/7/17 - images of youths abusing tenant • 11/7/17 - images of youths ASB and criminal damage to vehicle and theft • 3/8/16 - Incidents of ASB and assault and weapons (one of group was carrying a large knife in the lane, it was dropped in land behind shops) • 15/8/17 – verbal abuse caught on camera and information provided to the police • 17/8/17 – Anti social behaviour 530-605pm, information given to police • 11/9/17 – criminal damage to CCTV cameras, the cameras were knocked off [redacted] Maesglas Avenue by a scaffolding pole, this was caught on cameras which survived damage and we re-affixed to property
January 2016 - present	Maesglas Avenue	<p>The [redacted] Maesglas Avenue contacted Newport City Homes in May 2016 to report ongoing issues in the area including people causing nuisance and annoyance outside [redacted] property (this is the same group of people that use the lane), verbal and racist abuse directed at [redacted] vandalism to [redacted] car and people sitting on [redacted] garden wall and littering [redacted] garden on a daily basis.</p> <p>[redacted] reported the incidents below to Newport City Homes and the police:</p> <p>2/1/17 – racist and verbal abuse, damage to bin caused by youths congregated outside [redacted] property</p> <p>8/1/17 – [redacted] car wing mirror kicked off</p> <p>9/3/17 – car wing mirror kicked off</p> <p>30/5/17 – youths dumping rubbish outside [redacted] property, wing mirror knocked off</p> <p>13/06/17 – car window smashed and sat nav stolen from [redacted] car</p> <p>15/6/17 - car window smashed and youths throwing bottles outside his property</p>

		<p>30/6/17 – youths gathering outside [redacted] property and sat on [redacted] garden wall, and causing [redacted] distress</p> <p>8/7/17 – car window smashed, money, purse and bank cards stolen from glove compartment</p> <p>22/7/17 – car entered, alarm wires pulled out, and cigarettes stolen</p> <p>[redacted] believes that the people that hang around outside [redacted] property and in the lane are the ones damaging [redacted] car. One of this group was caught on the CCTV camera tampering with [redacted] car which confirms what the [redacted] is thinking is going on.</p> <p>The [redacted] has been offered a CCTV camera but has refused as [redacted] is fearful of it causing further issues for [redacted] and [redacted] family and repercussions.</p>
July 2017 – present	[redacted] Maesglas Avenue	<p>[redacted] who has been advised and supported by Newport City Homes regarding his concerns about what goes on in Maesglas Avenue in the lane, and around the shops. [redacted] reported to us regular drug dealing by these people, drinking, people having sex in the lane, and motorbikes going up and down lane and end of Maesglas Avenue.</p>

Appendix D

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

SECTION 59

PUBLIC SPACES PROTECTION ORDER 2018

MAESGLAS, NEWPORT

NEWPORT CITY COUNCIL in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) hereby makes this Order, being satisfied on reasonable grounds that activities in a public space, namely in the MAESGLAS area of Newport, have had or are likely to have a detrimental effect on the quality of life of those in the locality and that these activities involved various anti-social behaviours. Further, Newport City Council believes that the effect, or likely effect, of the said activities is, or is likely to be, persistent or continuing in nature, such as to make the activities unreasonable and justifies the restrictions imposed by this Order:-

1. This Order shall come into operation on _____ 2018 and shall have effect for a period of 3 years thereafter, unless extended by further Orders under the Council’s statutory powers.
2. This Order relates to the public place in the City of Newport as shown edged in red on the Plan annexed to this Order (“the Restricted Area”) commonly referred to as “MAESGLAS”.

PROHIBITIONS:-

3. No person shall within the Restricted Area refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer to prevent public nuisance or disorder.
4. No person shall behave (either individually or in a group) in a manner that causes or is likely to cause harassment, alarm or distress to a member of the public; persons who breach this prohibition shall, when ordered to do so by an authorised person, disperse immediately or

by such time as may be specified and in a manner as may be specified by the said authorised person and failure to do so is a further breach of this Order.

5. No person shall within the Restricted Area:
 - a. Ingest, inhale, inject, smoke, possess or otherwise use intoxicating substances.
 - b. Sell or supply intoxicating substances.
 - c. Intoxicating substances (commonly referred to as “legal highs”) is given the following definition: substances with the capacity to stimulate or depress the central nervous system (does not include alcohol).
 - d. Exemptions shall apply in cases where the substances are used for valid and demonstrable medicinal use, given to an animal as a medicinal remedy, are cigarettes (tobacco) or vaporisers or are food stuffs (to include drinks) regulated by food health and safety legislation.
 - e. Persons who breach this prohibition shall surrender any such intoxicating substance in his/her possession when asked to do so by an authorised officer in the Restricted Area.

6. No person shall, except as provided in Articles (6c) and (6d) below, use the public right of way over the public place as shown coloured in blue on the Plan annexed to this Order hereafter referred to as (“the Restricted Area 2”); namely part of a lane that runs directly behind the shops located on Cardiff Road known locally as the “Maesglas shops”.
 - a. Gates may be installed, operated and maintained at each end by Newport City Council.
 - b. Any person using the gates referred to in Article (6a) to gain access to or from the Restricted Area 2 shall ensure that the gates are closed and locked immediately after they are used.
 - c. The restriction in Article (6) of this Order shall not apply to any person who occupies premises adjoining or adjacent to the Restricted Area 2.
 - d. The restrictions in Articles (6) and (6b) of this Order shall not apply to any Police, Ambulance or Fire Service personnel acting in pursuance of statutory powers or duties or to any statutory undertakers, gas, electricity, water or communications provider requiring access to their apparatus situated in the Restricted Area 2.
 - e. The alternative route for pedestrians is as shown hatched in xxxx on the Plan annexed to this Order.
 - f. No waste or household item shall be deposited, stored or discarded in the Restricted Area 2. This restriction shall not apply to any wheeled bin or other approved receptacle for the storage of waste where the Council has given written consent for the wheeled bin or approved receptacle to be stored in the Restricted Area 2.

FIXED PENALTY NOTICES AND OFFENCES:-

7. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
8. 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 (currently £500) or to a Fixed Penalty Notice up to £100.
9. 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 (currently £1000) or to a Fixed Penalty Notice up to £100.

APPEALS:-

10. If any interested person wishes to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within 6 weeks from the

date on which this Order is made.

Dated:

THE COMMON SEAL of)
NEWPORT CITY COUNCIL was)
here unto affixed in the presence of:-)
)

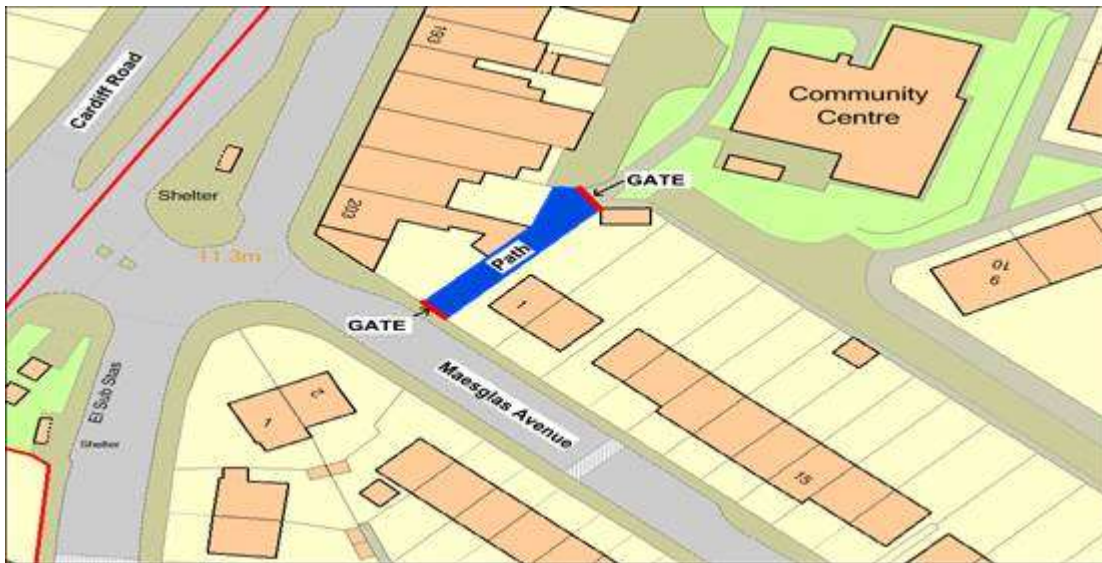
Restricted Area



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Restricted Area 2



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Appendix E

Fairness and Equalities Impact Assessment (FEIA)

Version 3.6 May 2017

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with equalities (Equalities Act 2010), Welsh language promotion (The Welsh Language (Wales) Measure 2011), sustainable development (Wellbeing of Future Generations (Wales) Act 2015), and the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

Completed by: Jonathan Keen **Role:** Manager

Head of Service: Gareth Price **Date:** 28/5/2018

I confirm that the above Head of Service has agreed the content of this assessment

Yes

When you complete this FEIA, it is your responsibility to submit it to
impact.assessment@newport.gov.uk

1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.

Proposed Maesglas Public Spaces Protection Order. The purpose is to introduce appropriate restrictions to reduce levels of anti-social behaviour in part of the Gaer Electoral Ward:

- to permanently close with locked gates the path between the rear of some of the shops on Cardiff Road and the adjacent residential property at 1 Maesglas Avenue; and,

within a defined area of the Ward:

- to enable individuals or groups loitering or congregating in the street, who are causing anti-social behaviour, intimidating or threatening members of the public to be dispersed by Authorised Officers;
- to allow individuals consuming alcohol in the public place to be required to stop drinking and hand over the alcohol to Authorised Officers; and,
- to allow individuals in the public place to be required to surrender controlled (intoxicating) substances to Authorised Officers.

These restrictions would provide the Police with additional/alternative powers with the aim of improving the area for local residents, visitors and customers of the businesses in the area.

2. Outline how you have/ will involve stakeholders who will be affected by the policy/proposal

Stakeholders including the One Newport partnership were targeted by a wide consultation exercise.

3. What information/evidence do you have on stakeholders? e.g. views, needs, service usage etc. Please include all the evidence you consider relevant.

At the pre-consultation stage, evidence of anti-social behaviour was provided by Gwent Police, Newport City Homes and the Council’s Community Safety team. Council Elected Ward Members asked for this PSPO to be considered following complaints about anti-social behaviour from local residents. The evidence provided has been included as appendices to the report to Council, of which this Assessment is also an appendix.

Ward Members have informed officers that there is an appetite from residents for the path to be closed in order to reduce anti-social behaviour perpetrated by individuals who use the path to congregate and to leave the scene after causing problems in streets nearby.

The Community Wellbeing Profile 2017 for the Gaer Ward shows that the rate of all criminal offences per 1,000 population has increased from 54.1 in 2013-14 to 73.5 in 2015-16. This is below the Newport average which has increased from 77.34 to 86.37 for the same period but above the Wales average which has increased slightly from 57.35 to 58.95. For anti-social behaviour (ASB) the rate of incidents per 1,000 population has increased in Gaer from 33.2 in 2013-14 to 50.6 in 2015-16. This rate is still below the Newport rate which has increased slightly from 54.4 to 56.2.

A summary of the results of the consultation have been included in the report to Council.





4. Equalities and Welsh language impact


Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: <ol style="list-style-type: none"> Promote equal opportunity Promote community cohesion Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Age	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Positive: The proposed restrictions are designed to reduce ASB in the immediate area, which would promote community cohesion and help eliminate potential harassment/victimisation of families etc. living in the immediate area.

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
				<p>Reducing ASB in the area should also help to ensure that the area is a safer place for young people to interact/play.</p> <p>Reducing ASB should help to ensure the Community Centre is used by improving the area around the Centre that customers must pass through to gain access.</p> <p>Negative: The proposals are designed to provide the Police with additional powers to disperse individuals and groups who are causing ASB, from the area. This is likely to impact on people in the 10 – 24 years and the 25 – 34 years census categories more than other age categories.</p> <p>The closure of the path is likely to impact on Older people and parents with small children with them who may currently use the path to access the Community Centre, by making their journey slightly longer. This could potentially discourage some individuals from using the Centre.</p>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The closure of the path is likely to impact on people with mobility impairments, and possibly those who are visually impaired, who may currently use the path to access the Community Centre, by making their journey slightly longer. This could potentially discourage some individuals from using the Centre.</p> <p>However, the proposed restrictions are designed to reduce ASB in the immediate area, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.</p>
Gender reassignment/ transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposals will not have an impact on this protected characteristic.
Marriage or civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposals will not have an impact on this protected characteristic.
Pregnancy or maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The closure of the path is likely to impact on women with mobility problems associated with being heavily pregnant,

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
				<p>and on parents with small children with them, who may currently use the path to access the Community Centre, by making their journey slightly longer. This could potentially discourage some individuals from using the Centre.</p> <p>However, the proposed restrictions are designed to reduce ASB in the immediate area, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.</p>
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposals will not have an impact on this protected characteristic.</p> <p>The most recent Census data in 2011 shows the population of Gaer is made up of 92.4% of people from a white background and 7.6% of people from a non-white background. This is lower than the Newport average where 10.1% of people are from a non-white background. There is no reason to suspect that the proposed PSPO restrictions would have a race impact.</p>
Religion or Belief or non-belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposals will not have an impact on this protected characteristic.
Sex/ Gender Identity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Within the evidence provided by Gwent Police, Newport City Homes and the Council's Community Safety team, where the sex of the youths causing problems is mentioned, the sex is 'male' in the majority of incidents. Therefore the proposals would have an impact on male individuals.
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposals will not have an impact on this protected characteristic.
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposals will not have an impact on this issue.

5. How has your proposal embedded and prioritised the sustainable development principle in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term needs</p>	<p>The maximum duration of a Public Spaces Protection Order is 3 years but it could be renewed if appropriate. The aim of the proposals is to reduce ASB in the area and it is hoped that this would have a long term benefit to the community.</p>
 <p>Collaboration</p> <p>Working together to deliver objectives</p>	<p>Only the Council can make a Public Spaces Protection Order, however it would provide the Police with additional/alternative powers with which to address ASB in the area. The Community Safety team will continue to work together with the Police and other agencies/partners to address ASB. The Police and Newport City Homes support the proposals.</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>The wide consultation undertaken included:</p> <ul style="list-style-type: none"> • Residents • Local businesses • Community groups • Partners
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>A Public Spaces Protection Order cannot address the roots causes of why some youths cause ASB in this area, but the Community Safety team works closely with partners who complete such work such as Education, the Youth Service etc.</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>The proposed Public Spaces Protection Order (PSPO) has been designed to have a positive impact on the following Well-being goals:</p> <p>Well-being Goals</p> <ul style="list-style-type: none"> • A prosperous Wales – the PSPO would reduce ASB in the area. ASB can impact on the education of children and on the success of businesses. • A healthier Wales – the PSPO would reduce ASB which would help improve the mental well-being of those currently affected. • A Wales of cohesive communities – the PSPO would help to protect the local community and make it more viable and safe. <p>The information included above shows that there would be a positive impact on Newport City Council’s Well-being Goals, as set out below:</p> <ul style="list-style-type: none"> • To improve skills, educational outcomes and employment opportunities • To promote economic growth and regeneration whilst protecting the environment • To enable people to be healthy, independent and resilient • To build cohesive and sustainable communities

6. Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?

The proposed Public Spaces Protection Order is for a defined part of the Gaer Electoral Ward.

7. How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission

Parameter 1 deals with equal treatment whilst recognising difference. The proposal will primarily impact on specific groups who are acting in an anti-social and intimidating manner and these groups would be treated differently in that they will intentionally be subject to the PSPO restrictions (dispersal). The gating proposal would in effect treat everyone equally, although as noted above this is likely to have a differential impact on the groups identified above (e.g. age, disability, maternity).

Parameter 2 deals with “mutual obligations between citizens and local government”. Local Government’s responsibility is to help ensure the safety, security and wellbeing of citizens in their communities, the PSPO introduces conditions which will apply to citizens who act in a way that is detrimental to the safety and wellbeing of the wider community which restricts those citizen’s

rights to congregate for set periods in the specified area.

Parameter 3 deals with “interdependency and reciprocity within community relations”. Anti-social and intimidating behaviour is known to affect the wellbeing of individuals but also affects the functioning and cohesiveness of communities e.g. in the use of local services, and participation in community life. The intention of the PSPO is to only restrict activities that are detrimental to participation in community life.

Parameter 4 deals with “transparency and accountability in decision making”. It is recognised that PSPO’s are by nature restrictive and must be balanced with proportionality, effective targeting and limitation. This FEIA and the proposed consultation plan is intended to ensure that the local community can express their views on the proposals and can inform democratic decision making.

8. Taking this assessment as a whole, what could be done to mitigate any negative impacts of your policy and better contribute to positive impacts?

Proportionate enforcement including communication and warnings before formal action will be key.

9. Monitoring, evaluating and reviewing

Should the PSPO be made, the effectiveness of the restrictions will be evaluated and reviewed and will inform the Council about what action to take at the end of the 3 year PSPO period.

10. Involvement

This FEIA will form part of the Council report which will be published by the Council.

11. Summary of Impact (for inclusion in any report)

Equality Act 2010 AND Welsh Language

The proposed PSPO will have an impact on some protected characteristics but not to the extent that the proposals could be judged to be unreasonable.

There is no Welsh Language impact.

Wellbeing of Future Generations (Wales) Act 2015

The proposed PSPO will support a number of the Well-being goals set out in the Act.



Report

Newport City Council

Part 1

Date: 24 July 2018

Subject Revised City Centre Public Spaces Protection Order

Purpose To inform Council of the recommendations of the Overview and Management Scrutiny Committee to extend and revise the current Public Spaces Protection Order for Newport City Centre.

To ask Council to consider the recommendations and to decide whether to approve the draft Order reflecting the recommendations made.

Author Head of Law and Regulation

Ward Stow Hill

Summary A Public Spaces Protection Order (PSPO) is designed to prevent individuals or groups committing anti-social behaviour in a public space where the behaviour is having, or is likely to have, a detrimental effect on the quality of life of those in the locality; and the behaviour is, or is likely to be, persistent or continuing in nature; and be unreasonable.

The first city centre PSPO for Newport was made in November 2015, following consultation and oversight by Scrutiny and extensive public consultation.

The Order will expire in November 2018, unless Council decides to extend it. It has been reviewed through a Scrutiny process (meetings on 8 January and 26 April 2018) and public consultation, taking into account what has worked over the past two years, what restrictions need to be kept or revised, and whether we need to introduce new restrictions to tackle other forms of anti-social behaviour that are occurring in the city centre.

This report details the recommendations of the Scrutiny Committee of 26 April 2018 as to the restrictions to be included in an extended and revised City Centre PSPO.

Following these recommendations, Council lawyers have drafted the revised City Centre Order – Appendix B.

Proposal That Council approves the extended and revised Public Spaces Protection Order for the City Centre, as detailed in Appendix B.

Action by Head of Law and Regulation

Timetable Immediate

This report was prepared after consultation with:

- Head of Finance
- Head of People and Business Change
- Cabinet Member for Licensing and Regulation

1. Background

1 What is a Public Spaces Protection Order?

- 1.1 A PSPO is designed to prevent individuals or groups committing anti-social behaviour in a public space where the behaviour is having, or is likely to have, a detrimental effect on the quality of life of those in the locality; and the behaviour is or likely to be persistent or continuing nature; and be unreasonable. The power to make an Order rests with local authorities, in consultation with the Police, Police and Crime Commissioner and other relevant bodies who may be impacted.
- 1.2 The Council can make a PSPO on any public space within its own area. The definition of public space is wide and includes any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission, for example a shopping centre. There are particular considerations for registered common land, town or village greens and open access land.
- 1.3 The maximum length of a PSPO is three years.
- 1.4 When making a PSPO, the Council must have particular regard to the rights of freedom of expression and freedom of assembly set out in the Human Rights Act 1998. Consideration of a PSPO will take place where there is material evidence of anti-social behaviour. Assessments will commonly include reports to the police, and various Council teams and partner agencies.

2 What kind of restrictions can be in a PSPO?

- 2.1 Restrictions and requirements are set by the local authority and can be blanket restrictions or requirements, or can be targeted towards certain behaviour by certain groups at certain times. They can restrict access to public spaces (including certain types of highway) where that route is being used to commit Anti-social behaviour.
- 2.2 Section 59 of the ASB etc. Act sets out the basis on which local authorities may make a PSPO.
It provides as follows -
 - (1) A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.
 - (2) The first condition is that:
 - (a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
 - (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
 - (3) The second condition is that the effect, or likely effect, of the activities—
 - (a) is, or is likely to be, of a persistent or continuing nature,
 - (b) is, or is likely to be, such as to make the activities unreasonable, and
 - (c) justifies the restrictions imposed by the notice.
 - (4) A public spaces protection order is an order that identifies the public place referred to in subsection (2) ("the restricted area") and—
 - (a) prohibits specified things being done in the restricted area,
 - (b) requires specified things to be done by persons carrying on specified activities in that area, or (c) does both of those things.
 - (5) The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order—
 - (a) to prevent the detrimental effect referred to in subsection (2) from continuing, occurring or recurring, or

(b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

- 2.3 Orders can be enforced by a police officer, police community support officer and delegated council officers. A breach of the Order is a criminal offence and can be dealt with through the issuing of a Fixed Penalty Notice of up to £100 or a level 3 fine of up to £1000, on prosecution.

3 Approving the City Centre PSPO

This is matter for full Council to decide.

Essentially the Council needs to consider:

- Is there a specific problem caused by particular on-going activities?
- If so, what needs to be done to regulate or control the problem?
- What is the least restrictive way of achieving this?

Appeals against the setting up of a PSPO

Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue. Further appeal is available each time the PSPO is varied by the council.

4. Creating the first Newport City Centre PSPO

- 4.1 The first city centre PSPO was made in November 2015, following consultation and oversight by Scrutiny and extensive public consultation. Newport's city centre PSPO was one of the first "city centre" PSPOs to be made in the UK and was thus subject to intensive interest not just locally, but by national civil liberties groups and the UK media.
- 4.2 The Order included an alcohol restriction, replicating a provision that had been in place since 2001 as an alcohol exclusion zone, along with four other restrictions, see paragraph 5 below.
- 4.3 The Order will expire in November 2018, unless extended by the Council and, therefore, it is now necessary for Council to review it, taking into account what has worked over the past two years, what restrictions need to be kept or revised, and whether we need to introduce new restrictions to tackle other forms of anti-social behaviour that are now occurring in the city centre.

5. Current restrictions

<u>1. Street Drinking</u>
No person shall within the restricted area refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer to prevent public nuisance or disorder.
<u>2. Touting for services/ donations</u>
No person shall within the restricted area, approach members of the public in a persistent manner with a view to persuading them to: subscribe to a service; or make charitable donations; by direct debit, standing order or similar means.
<u>3. Aggressive Begging</u>
No person shall beg within the restricted area in a manner which is aggressive or intimidating, or which harasses members of the public.
<u>4. Flyposting</u>
No person shall affix any notice, picture, letter, sign or other mark upon the surface of a highway or upon any tree, structure or works on or in a highway without permission of the landowner within the restricted area

5. Dogs to be on a lead

Any person in charge of a dog within the restricted area shall be in breach of this Order if he/she fails to keep the dog on a lead (of no more than 1.5 metres in length).

6. Consultation on a revised PSPO

- 6.1 **It was decided that the review of the PSPO should be overseen by a Scrutiny Committee.** At its meeting of 8 January 2018, the Scrutiny Committee considered the issues and agreed for public consultation to commence to seek views on experiences of the city centre, views on review the current restrictions, possible amendments to them and views on possible new measures to be included in a revised PSPO.
- 6.2 **Consultation**-Public consultation ran from 8 January to 11 March 2018 with 61 responses via the questionnaire and two letters – one from Liberty and the other from the RSPCA. The questionnaire responses are to be found collated at Appendix C, with the two letters included in full. In summary the letter from Liberty expressed concern that a blanket ban on begging (which was consulted on) would be “not only cruel...but also incredibly unfair...” and expressed the view that imposing a blanket ban would be unlawful and a disproportionate response to the situation. The letter from the RSPCA is in support of the current condition requiring dogs to be on a lead of no more than 1.5 metres in length but encouraged discretion on enforcement when the dog is on a longer lead but is under effective control. The RSPCA also encouraged broader promotional work on responsible dog ownership is undertaken and mentioned that some PSPOs have included a condition requiring dog owners to carry an appropriate receptacle to clean up their dog’s waste at all times.
- 6.3 As requested by Scrutiny Committee at its January meeting, enquiries were made of 19 local authorities who had similar city/town centre PSPOs regarding their experiences. All were emailed and 7 responded. These responses are detailed in Appendix C but in summary, of the 7 local authorities who responded, 4 said that they regarded their PSPO restrictions as being successful or working well and all 4 had restrictions relating to begging and alcohol consumption in public places. The other 3 respondents said that their PSPOs were [too] new [to draw conclusions properly] and one of those said that there was no huge improvement but the direction of travel was in the right direction. Another one of those with a new PSPO said that they had an issue with enforcement capacity and this was resulting in the PSPO having a limited effect at present.
- 6.4 In summary, the results of the public consultation are as follows:

Current restrictions	Consultation summary
1.Street Drinking No person shall within the restricted area refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer.	64% (37 respondents) said that they had witnessed or been affected by this type of ASB and many of the responses suggested that it was common to see alcohol being drunk in public places. 83% (49 respondents) want this restriction to remain; only 8% (5) want the restriction to be removed and only another 8% (5) want the restriction altered. Several comments were made about the need for better enforcement.

Current restrictions	Consultation summary
<p>2. Touting for services/ donations No person shall within the restricted area, approach members of the public in a persistent manner with a view to persuading them to: subscribe to a service; or make charitable donations; by direct debit, standing order or similar means.</p>	<p>64% (38) said that they had witnessed or been affected by this, with many respondents mentioning “no win – no fee” touts and those selling broadband services.</p> <p>One respondent said that this used to be a major problem but that they felt that the Order had really helped. It is assumed that this comment relates to charities seeking donations by direct debit.</p> <p>84% (47) wanted this restriction to remain in the Order with 11% (6) wanting changes, some of which specifically mentioned those selling services should be restricted. Only 5% (3) wanted this restriction removed from the Order.</p>
<p>3. Aggressive Begging No person shall beg within the restricted area in a manner which is aggressive or intimidating, or which harasses members of the public.</p>	<p>64% (38) said that they had witnessed or been affected by this type of ASB with many responding that this is a persistent and common problem including near cash machines. Some respondents commented on some beggars reacting rudely/becoming verbally abusive when money was not given. Others say you cannot walk through the city centre without being approached for money/ cigarettes. A small number of respondents specifically mentioned they find the begging intimidating.</p> <p>73% (43) of respondents want this restriction to remain in the Order with only 8% (5) wanting it removed.</p> <p>19% (11) want the definition altered, some to define “aggressive” begging more effectively and two commenting that begging near cash points should be prevented.</p> <p>Some want begging banned altogether and more enforcement to be carried out. Some comments relate to more focused donations to relevant charities.</p>
<p>4. Flyposting No person shall affix any notice, picture, letter, sign or other mark upon the surface of a highway or upon any tree, structure or works on or in a highway without permission of the landowner within the restricted area.</p>	<p>80% (48) of respondents had not been affected by this issue.</p> <p>Comments submitted suggest the problems are mainly on empty shop windows and buildings, and one points out that flyposting is unsightly.</p> <p>75% (38) said it should with remain in the Order, with 14% (7) wanting it removed and 12% (6) wanting it altered. Multiple comments in the</p>

Current restrictions	Consultation summary
	“reasons” section said that this is not a major issue that needs to be dealt with by a PSPO.
<p>5. Dogs to be on a lead Any person in charge of a dog within the restricted area shall be in breach of this Order if he/she fails to keep the dog on a lead (of no more than 1.5 metres in length).</p>	<p>Letter from RSPCA - Appendix C and summarised previously at paragraph 6.2</p> <p>52% (31) of respondents said they had witnessed or been affected by this type of ASB, but 48% (29) said they had not.</p> <p>Some comments said that they found certain breeds of dogs not on leads to be frightening and a number of general comments appear to be supportive of this restriction.</p> <p>87% (48) of respondents wanted this restriction to stay in the Order with a number of comments asking for more enforcement to be done.</p>

Possible New/ Revised Restrictions	Consultation Summary
<p>6. Groups/ individuals causing harassment, alarm or distress. “Within the restricted area not to behave (either individually or in a group) in a manner that has caused or is likely to cause a member of the public to suffer harassment, alarm or distress by that behaviour.</p> <p>Persons who breach the above shall, when ordered to do so by an authorised person, disperse either immediately or by such time as may be specified and in such a manner as may be specified.”</p>	<p>65% (39) had been affected by this type of behaviour and 85% (49) want this new restriction included in the revised Order.</p> <p>Many respondents have experienced this behaviour and find this behaviour to be frightening and unacceptable. Individuals and groups shouting and swearing are mentioned multiple times, and groups on pedal bikes harassing/intimidating people is reported to be a significant problem in certain locations. Need more enforcement.</p> <p>A minority of respondents expressed the view that this restriction is not needed as it can be dealt with by existing legislation.</p>
<p>7. Touting for services/ donations</p> <p>Revision of current restriction to: “Within the restricted area no street trading including peddling, charity collecting or touting for services, subscriptions or donations unless covered by an existing Police or Council-issued or Council-recognised Street Trading/Charity Collection/ promotions consent, licence or written permission.”</p>	<p>The results of the consultation broadly reflect the results set out at 2 above.</p> <p>81% (44) would like to see a change to the current restriction to regulate this area more effectively.</p>
<p>8. Aggressive begging The consultation was on revising the restriction so that “aggressive begging” included any begging within the vicinity of a cash machine;</p>	<p>Letter from Liberty - Appendix C and summarised previously at paragraph 6.2</p> <p>75% (40) wanted the restriction to include no</p>

Possible New/ Revised Restrictions	Consultation Summary
Or instead revising it to “no begging”.	<p>begging near a cash/payment machine.</p> <p>70% (37) wanted it changed to “no begging”. Reasons for “no begging” included that it is far too prolific in the city centre, not genuine and intimidating. A number of respondents said that people should be encouraged to give to charities directly.</p>
<p>9. Intoxicating substances - No ingesting, inhaling, injecting, smoking or otherwise using, possessing or supplying substances believed to be intoxicating (psychoactive) substances.</p> <p>Persons who breach this restriction shall surrender any such substance in his/her possession when asked to do so by an authorised officer.</p>	<p>69% (41) of respondents said they had been affected by this type of anti-social behaviour, although it is clear from some of the comments that some respondents thought this included alcohol.</p> <p>Many respondents indicated this type of ASB is prevalent in public areas, with some people clearly under the influence of drugs during the day.</p> <p>81% (47) wanted this to be in the revised Order and many commented that enforcement would be important.</p>
Other forms of Anti-Social Behaviour	<p>43% (25) of respondents said they had been affected by or witnessed other forms of ASB in the city centre. However the majority of issues raised are covered by the existing, altered or new restrictions outlined previously.</p>

7. Overview & Management Scrutiny Committee 26 April 2018

7.1 Scrutiny was asked to consider the consultation results and information presented at the meeting and consider the following test:

1. Is there a specific problem caused by particular activities?
2. If so, what needs to be done to regulate or control the problem?
3. What is the least restrictive way of achieving this?

Then, make recommendations to Council regarding the restrictions that could be included in the revised Order.

7.2 In order to support the Committee and provide a starting point for debate, following consideration of the consultation results the Regulatory Services Manager included a possible revised Order in the report. This is shown in the table below. Notably this did not propose a blanket ban on begging and would result in the deletion of the current restriction on flyposting.

7.3 A possible revised Order

Possible Restriction	Comment
1. Street Drinking	Same wording as current PSPO

No person shall within the restricted area refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer.	restriction
2. Touting for services/ donations Within the restricted area no street trading including peddling, charity collecting or touting for services, subscriptions or donations unless covered by an existing Police or Council-issued or Council-recognised Street Trading/Charity Collection/ promotions consent, licence or written permission.	Wording revised to expand the current PSPO restriction to cover the street trading of services.
3. Begging in an anti-social manner Within the restricted area no person shall beg within 10 metres of a cash or payment machine, nor beg in a manner that has caused or is likely to cause a member of the public to suffer harassment, alarm or distress by that behaviour.	Wording of the current PSPO restriction on aggressive begging revised to make it easier to enforce on begging related ASB and set an exclusion zone around cash points.
4. Groups/ individuals causing anti-social behaviour. Within the restricted area no person shall behave (either individually or in a group) in a manner that has caused or is likely to cause a member of the public to suffer harassment, alarm or distress by that behaviour. Persons who breach the above shall, when ordered to do so by an authorised person, disperse either immediately or by such time as may be specified and in such a manner as may be specified.	A new restriction.
5. Intoxicating/Psychoactive substances Within the restricted area no person shall ingest, inhale, inject, smoke, possess or otherwise use intoxicating substances or sell or supply them. Persons who breach this prohibition shall surrender any such intoxicating substance, or a substance believed to be intoxicating, in his/her possession when asked to do so by an authorised officer. Intoxicating substances (psychoactive substances) = substances with the capacity to stimulate or depress the central nervous system. Exceptions: alcohol, tobacco, food & drink, and where substances are for used for valid and demonstrable medical use.	A new restriction.
6. Dogs to be on a lead Any person in charge of a dog within the restricted area shall be in breach of this Order if he/she fails to keep the dog on a lead (of no more than 1.5 metres in length).	Same wording as current PSPO restriction

7.4 The Committee also heard from Council officers (Regulatory Services, Youth Services, Housing Needs), Gwent Police (City Centre Inspector), Newport Business Improvement District and also from The Wallich Homeless Charity.

8. Overview & Management Scrutiny Committee – Recommendations to Council

8.1 Following debate and a vote on each of the possible restrictions plus the deletion of the Flyposting restriction, **Scrutiny recommended to Council that the Flyposting restriction be deleted and each of the restrictions above should be reflected in a new Order.**

8.2 Following these recommendations, Council lawyers have drafted the revised City Centre Order included at Appendix B.

9. Boundary of the PSPO

There is no proposal to change the existing boundary of the PSPO, which is shown on the map at Appendix A and Appendix B.

10. Enforcing the PSPO

10.1 There are no plans to change the way in which enforcement is currently undertaken – Gwent Police will continue to lead on the enforcement of PSPO restrictions. They have made it clear that they have asked for the current PSPO to be revised in order to improve the effectiveness of enforcement.

10.2 Should a revised City Centre PSPO be agreed by Council, once the Order has been made initial work would involve advising affected parties as to the restrictions, through a variety of methods: letters, publicity, individual conversations. Contraventions would then be dealt with by way of a “stepped-up” enforcement approach, using verbal advice, then Fixed Penalty Notices (FPNs) and prosecution only being considered where advice and warnings have failed and/or an FPN has not been paid.

11. Financial Summary

11.1 The cost of implementing the PSPO will be funded through existing budgets.

12. Risks

Risk	Impact of Risk if it occurs (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Council puts in measures that are not supported	H	L	Listen to all groups that are affected.	Head of Law and Regulation
Council puts in measures that are disproportionate to the problems experienced / open to legal challenge	H	L	Ensure the measures that are introduced are balanced against the anti-social behaviour experienced and the right level of restrictions to address it.	Head of Law and Regulation

13. Links to Council Policies and Priorities

13.1 Ensuring that this work is completed as required will support the following Council Policies and Strategies:

The proposed PSPO has clear links to the aims and objectives of Newport City Council’s Corporate Plan (relevant themes are “Resilient communities” and “A thriving city”).

Newport’s Community Strategy 2010-2020 “Feeling Good About Newport” (Relevant themes: “To be a prosperous and thriving city”; “To have a better quality of life”; “To have vibrant and safe communities”).

The proposals also demonstrate that the service area is acting in accordance with the “Be Courageous” value outlined in the Corporate Plan: the proposal is ambitious in order to try and improve the city centre.

14. Options Available and considered

Option 1

Approve the extended and revised City Centre Public Spaces Protection Order at Appendix B, for a further period of 3 years, as per the Scrutiny Committee’s recommendations.

Option 2

Not to approve the revised Order –but to refer it back for further work on a potential revised Order

Option 3

Not to approved the Order and either let the current order lapse in November 2018 or resolve to discharge the current Order with immediate effect.

15. Preferred Option and Reasons

Option 1 - Approve the extended and revised City Centre Public Spaces Protection Order at Appendix B, for a further period of 3 years, as per the Scrutiny Committee’s recommendations. This is supported by Gwent Police and is felt by Council Officers to be a proportionate response to the on-going anti-social behaviour being experienced in the city centre and a reasonable response to the public consultation undertaken.

16. Comments of Chief Financial Officer

- 16.1 The proposed continuation of the City Centre Public Spaces Protection Order will be met from existing budgets.

17. Legal Comments - Comments of Monitoring Officer

- 17.1 The Council has a statutory power under the Anti-Social Behaviour, Crime and Policing Act 2014 to make Public Spaces Protection Orders in order to prevent types of anti-social behaviour which have, or are likely to have, a detrimental effect on the quality of life of those in the locality and the behaviour is or is likely to be persistent or continuing in nature. The nature and extent of the PSPO must be reasonable having regard to the type of behaviour and its impact on the public.
- 17.2 The existing City Centre Public Space Protection Order was made by the Council in November 2015, following extensive public consultation and a Scrutiny review. A range of control measures were introduced based on historical complaints and Scrutiny carried out a general public consultation exercise to assess the need and justification for specific controls, to inform the final Council decision. The current PSPO was made for the maximum period of three years and will, therefore, expire in November 2018, unless the Council decides to extend it, either on the same terms or with variations.
- 17.3 Therefore, a review of the current PSPO has been undertaken by the Overview and Management Scrutiny Committee to assess whether there is a continuing need for the control measures in the PSPO and, if so, whether they should be varied.

- 17.4 In accordance with the legislation and the statutory guidance, the Council is required to consult with the Police, the Police and Crime Commissioner and specific community groups, and to have regard to any observations made before deciding whether or not to extend and/or vary any PSPO. However, because of the potential impact of any PSPO within the City Centre, it was agreed that a wider consultation and public engagement exercise should be undertaken as part of the Scrutiny review. A range of possible measures that could be included within an extended and revised PSPO were identified by Scrutiny, based on historical complaints, and the Council has carried out a further public consultation exercise to assess the need and justification for specific controls, to inform the final decision. The results of the engagement with key stakeholders and the public responses to the wider consultation are summarised within this Report. Scrutiny Committee have considered the consultation responses and have formulated their recommendations, which are set out in the draft PSPO (Appendix B). The Cabinet Member for Licensing and Regulatory Functions is also supportive of their recommendations to extend the current PSPO for a further period of 3 years and to vary the existing controls. For the most part, there is considered to be a continuing need for the existing control measures in the current PSPO (with the exception of fly posting, which is covered by other legislation, in any event). Other variations and additional control measures are also being recommended to strengthen and clarify existing powers. The final decision regarding the need to extend and/or vary the existing City Centre PSPO is a matter for full Council.
- 17.5 When considering the need to extend and/or revise any PSPO, the Council must act reasonably and, in particular, it must have regard to the Human Rights Act 1998. However, the rights and freedoms set out in the Articles to the Human Rights Act are qualified rights and can lawfully be restricted or limited where this is a necessary and proportionate means of achieving a legitimate aim, including public safety and the prevention of crime and disorder. It is a question of balancing rights and freedoms of individuals against the needs of the wider community. Therefore, the Council has to take a balanced decision regarding the need for any prohibition or restriction and its impact on the freedoms and rights of individuals. Any prohibition order must be a reasonable and proportionate means of preventing or reducing the detrimental impact of any specific type of anti-social behaviour within the City Centre. When considering the need for and the impact of any PSPO, the Council also has to have regard to its public sector equality duty under Section 149 of the Equality Act 2010 and a full Fairness and Equalities Impact Assessment is attached to this Report.
- 17.6 Public support for a particular measure is not, of itself, sufficient grounds to make a PSPO. The Council needs to be satisfied that the proposed controls are justified because of a specific problem and a need to control the anti-social behaviour in order to protect the public. The Council also has to be satisfied that the extent of the controls or prohibitions is reasonable and that there are no alternative, and less restrictive ways, of regulating the problems.
- 17.7 There is a statutory right of appeal to the High Court within 6 weeks if a PSPO is considered to be unreasonable.

18. Comments from Head of People and Business Change

- 18.1 The report asks Council to make a decision on the implementation, or not, of a new Public Spaces Protection Order – the implementation of which will be met from existing resources. As such there are no specific staffing implications. The development of the city centre for the benefit of all Newport residents is a priority for the Council and partners and expressed within the Wellbeing Plan. Public consultation regularly indicates a common concern over

the impact of anti-social behaviour on people and business in the city centre in terms of investment, footfall, visitor economy and community safety. It is noted that the public consultation undertaken as part of the PSPO review was supportive of maintaining and clarifying most of the current restrictions and implementing further measures.

- 18.2 Clearly, resolving some of the issues affecting the city centre can be contentious as these issues are complex in nature. Any PSPO should be proportionate and seen in the context of other, preventative work, currently being undertaken with individuals, families and communities within Newport. Whilst considering the options presented Council should be mindful of the full range of evidence available, including the impacts and mitigations drawn out within the Fairness and Equality Impact Assessment, to ensure any decision does not disproportionately impact upon any groups within the protected characteristics of the Equalities Act 2010. If there is any disproportionate impact then there will need to be robust mitigating measures in place and Council will have to ensure that they are adequate and appropriate to the risk identified.
- 18.3 As the current PSPO has been in place for over two years its effectiveness is better understood and the review by Scrutiny will help ensure that the critical balance between restriction and rights and freedoms is achieved, however the final decision with regards to the PSPO is a matter for full council.

19. Comments of the Cabinet Member for Licensing and Regulation

- 19.1 I fully support the proposed extension and variation of the existing City Centre Public Spaces Protection Order, in accordance with the recommendations of the Scrutiny Committee. There is clearly a continuing need for these measures (with the exception of the fly posting restrictions, which are already covered by other legislation) and the proposed controls are a reasonable and proportionate way of regulating this anti-social behaviour. The proposed variations and additional measures should strengthen existing powers.

20. Local Issues – Comments of Ward Members of Stow Hill

- 20.1 Councillor Miqdad Al-Nuaimi: I'm satisfied that there are good reasons for reviewing the current Public Spaces Protection Order that applies to the City Centre. I support option 1 which seeks to revise and extend the PSPO in the manner outlined in Paragraph 7.3 in the report. The Overview & Management Scrutiny Committee has considered the proposal to revise and extend the order in January and April 2018, including the results of the public consultations and members listened to detailed evidence from the Council Youth Officer, Homelessness Officer, The Police, Newport Now and other stakeholders. The OSM asked many questions and received detailed evidence in return. Based on the evidence received, the scrutiny committee voted on and approved the revisions outlined in Paragraph 7.3.
- 20.2 I am pleased to confirm my support for option 1 and recommend Council to approve it. In supporting the revised PSPO, my main motivation is to seek to improve the experience and perception of residents and visitors when they come to Newport City Centre. However, homelessness, rough sleeping and begging are challenging social issues that need concerted effort from various agencies to deal with humanely and satisfactorily. I urge the Council to do its utmost in a concerted effort, together with other agencies and the Welsh government to root out or mitigate the causes for these social ills.

21. Scrutiny Committees

21.1 Please see details throughout the report.

22. Equalities Impact Assessment and the Equalities Act 2010

22.1 When making a PSPO, the Council must have particular regard to the rights of freedom of expression and freedom of assembly and association set out in the Human Rights Act 1998 and must not act in a way which is incompatible with a Convention right. Human rights are enforced through existing rights of review and may therefore be taken as points in any challenge to the validity of any Order made by the Authority.

If Convention rights are engaged (as they are with the making of a PSPO) any interference with them must be –

- (a) In accordance with the law (in other words Council must be satisfied that the statutory conditions in Section 59 of the ASB etc. set out above in 1.6 are satisfied)
- (b) In pursuit of a legitimate aim (in this instance the control of activities which, if not controlled, would have a detrimental effect on the quality of life of those in the locality) and
- (c) A proportionate means of achieving the legitimate aim

The two issues which must therefore be addressed for every proposed restriction in the PSPO are whether the statutory criteria are met and whether the restrictions proposed are proportionate having regard to the legitimate aim of preserving the quality of life for everyone who lives or works in or who visits the city centre.

Council must also have regard to the public sector equality duty at s149 of the Equality Act 2010, which is as follows –

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

22.2 The Fairness and Equalities Impact Assessment is at Appendix D.

23. Children and Families (Wales) Measure

23.1 The proposals set out in this report are not relevant to the aims of the Children and Families (Wales) Measure.

24. Wellbeing of Future Generations (Wales) Act 2015

24.1 The proposals set out in the report to be consulted on would contribute to a number of the Well-being Goals set out in the Wellbeing of Future Generations (Wales) Act 2015. Relevant goals are “A more equal Wales”, “A Wales of cohesive communities”, “A Wales of vibrant culture and thriving Welsh language”. The proposals would contribute by helping to prevent problems of antisocial behaviour blighting the area, which would help to build a cohesive and sustainable community. Further detail is provided in the Fairness & Equalities Impact Assessment at Appendix D.

25. Crime and Disorder Act 1998

25.1 The proposals set out in this report are designed to reduce Crime and Disorder and are supported by Gwent Police.

26. Consultation

26.1 Consultation has been undertaken as detailed throughout the report.

27. Background Papers

Home Office Guidance on PSPOs

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364851/Public_and_open_spaces_information_note.pdf

Local Authorities' guidance on PSPOs Dec 2017

https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance_06_1.pdf

Overview and Scrutiny Management Committee minutes – 26 April 2018

<https://democracy.newport.gov.uk/ieListDocuments.aspx?MIId=6963&x=1>

Appendices

A: Current City Centre Public Spaces Protection Order

B: Proposed Revised City Centre Public Spaces Protection Order

C: Public Consultation results

D: Fairness and Equalities Impact Assessment

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Appendix A - Current City Centre Public Spaces Protection Order - November 2015

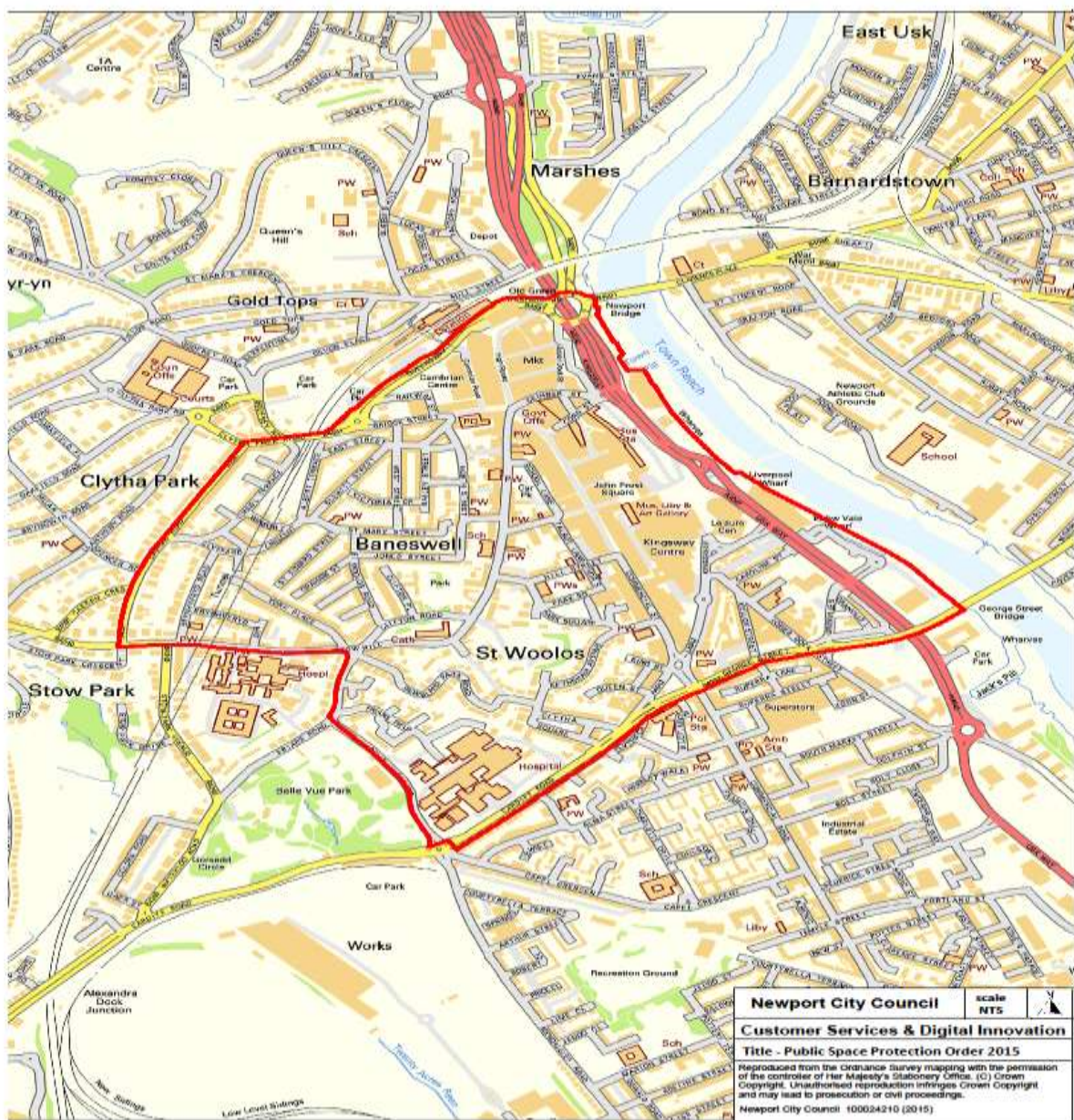
**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59
PUBLIC SPACES PROTECTION ORDER 2015
NEWPORT CITY CENTRE**

NEWPORT CITY COUNCIL in exercise of its powers under Section 59, 64 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) hereby makes this Order, being satisfied on reasonable grounds that activities in a public space, namely in Newport City Centre, have had or are likely to have a detrimental effect on the quality of life of those in the locality and that these activities involved various anti-social behaviours. Further, Newport City Council believes that the effect, or likely effect, of the said activities is, or is likely to be, persistent or continuing in nature, such as to make the activities unreasonable and justifies the restriction imposed by this Order:-

1. This Order shall come into operation on and shall have effect for a period of 3 years thereafter, unless extended by further Orders under the Council’s statutory powers.
2. This Order relates to the public place – boundary shown in red on the Plan annexed to this Order (“the Restricted Area”).
3. No person shall within the restricted area refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer to prevent public nuisance or disorder.
4. No person shall within the restricted area, approach members of the public in a persistent manner with a view to persuading them to:
 - a. Subscribe to a service; or
 - b. Make charitable donationsby direct debit, standing order or similar means.
5. No person shall beg within the restricted area in a manner which is aggressive or intimidating, or which harasses members of the public.
6. No person shall affix any notice, picture, letter, sign or other mark upon the surface of a highway or upon any tree, structure or works on or in a highway without permission of the landowner within the restricted area (fly-posting).

7. Any person in charge of a dog within the restricted area shall be in breach of this Order if he/she fails to keep the dog on a lead (of no more than 1.5 metres in length).
8. Any person who, without reasonable excuse, fails to comply with the requirements of this Order commits an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale (currently £1000).
9. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within 6 weeks from the date on which this Order is made.

Map of the current City Centre Public Spaces Protection Order



Appendix B - Proposed Revised Newport City Centre Public Space Protection Order 2018

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
SECTION 59
PUBLIC SPACES PROTECTION ORDER 2018
NEWPORT CITY CENTRE
[DATE] 2018

NEWPORT CITY COUNCIL in exercise of its powers under Section 59, 64 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) hereby makes this Order, being satisfied on reasonable grounds that activities in a public space, namely in Newport City Centre, have had or are likely to have a detrimental effect on the quality of life of those in the locality and that these activities involved various anti-social behaviours. Further, Newport City Council believes that the effect, or likely effect, of the said activities is, or is likely to be, persistent or continuing in nature, such as to make the activities unreasonable and justifies the restriction imposed by this Order:-

1. This Order shall come into operation on **[DATE]** and shall have effect for a period of 3 years thereafter, unless extended by further Orders under the Council’s statutory powers.
2. This Order applies to the public place as shown edged in red on the Plan annexed to this Order (“the Restricted Area”).
3. No person shall within the restricted area refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer to prevent public nuisance or disorder.
4. No person shall within the restricted area undertake “street trading” which term includes peddling, charity collecting or touting for services, subscriptions or donations UNLESS authorised to do so by an existing Police or Council issued or Council recognised Street Trading/Charity Collection/Promotions consent, licence or written permission or holds a valid Pedlars Certificate.
5. No person shall within the restricted area beg within 10 metres of a cash or payment machine or beg in a manner which is aggressive or intimidating or which has caused or is likely to cause a member of the public to feel harassed, alarmed or distressed.
6. No person shall behave (either individually or in a group) in a manner that causes or is likely to cause harassment, alarm or distress to a member of the public; persons who breach this prohibition shall, when ordered to do so by an authorised person, disperse immediately or by such time as may be specified and in a manner as may be specified by the said authorised person and failure to do so is a further breach of this Order.

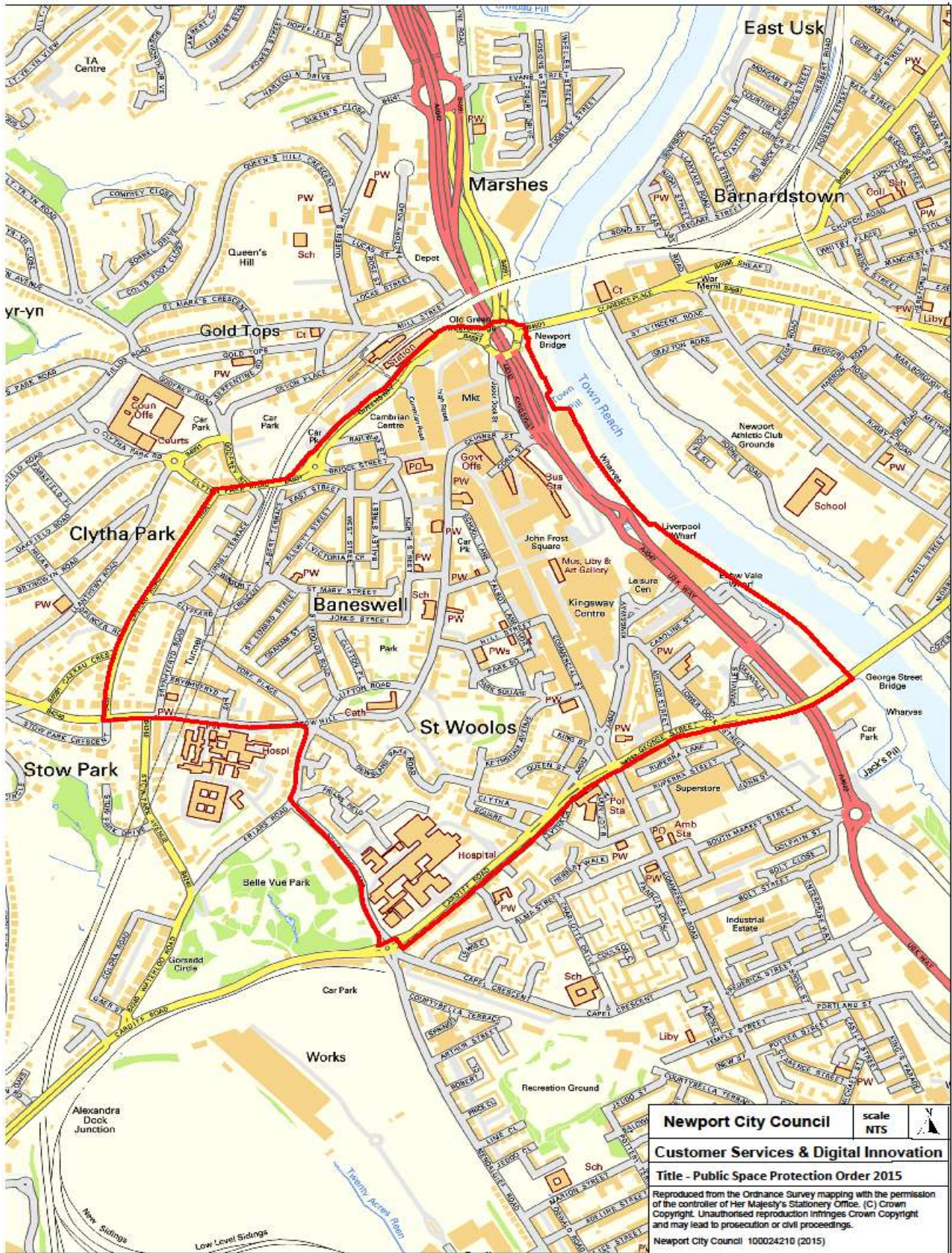
7. No person shall within the Restricted Area:
 - a. Ingest, inhale, inject, smoke, possess or otherwise use intoxicating substances.
 - b. Sell or supply intoxicating substances.
 - c. Intoxicating substances (commonly referred to as “legal highs”) is given the following definition: substances with the capacity to stimulate or depress the central nervous system (does not include alcohol).
 - d. Exemptions shall apply in cases where the substances are used for valid and demonstrable medicinal use, given to an animal as a medicinal remedy, are cigarettes (tobacco) or vaporisers or are food stuffs (to include drinks) regulated by food health and safety legislation.
 - e. Persons who breach this prohibition shall surrender any such intoxicating substance in his/her possession when asked to do so by an authorised officer in the Restricted Area.
8. Any person in charge of a dog within the restricted area shall be in breach of this Order if he/she fails to keep the dog on a lead (of no more than 1.5 metres in length).
9. Any person who, without reasonable excuse, fails to comply with the requirements of this Order commits an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale (currently £1000).
10. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within 6 weeks from the date on which this Order is made.

Dated:

Signed:

THE COMMON SEAL of)
 NEWPORT CITY COUNCIL was)
 hereunto affixed in the presence of:-)
)

Map of boundary to the 2018 City Centre Public Spaces Protection Order



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Consultation

The Online public consultation questionnaire

Public Consultation on a Revised Newport City Centre Public Space Protection Order Jan 18

We are reviewing the current city centre PSPO (enacted in Nov 15) to see if it could be improved by:

1. Amending the existing restrictions
2. Removing any existing restrictions
3. Adding new restrictions
4. We want your views please

There are currently 5 restrictions

1. Street Drinking

No person shall within the restricted area refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer to prevent public nuisance or disorder.

2. Touting for services/ donations

No person shall within the restricted area, approach members of the public in a persistent manner with a view to persuading them to: Subscribe to a service; or make charitable donations; by direct debit, standing order or similar means.

3. Aggressive Begging

No person shall beg within the restricted area in a manner which is aggressive or intimidating, or which harasses members of the public.

4. Flyposting

No person shall affix any notice, picture, letter, sign or other mark upon the surface of a highway or upon any tree, structure or works on or in a highway without permission of the landowner within the restricted area

5. Dogs to be on a lead

Any person in charge of a dog within the restricted area shall be in breach of this Order if he/she fails to keep the dog on a lead (of no more than 1.5 metres in length).

Your views on these

1. Street Drinking

- a. Have you witnessed/ been affected by this type of anti-social behaviour in the city centre?
No
Yes. If yes, please give any details including at what times of the day/ night.
- b. Would you wish to see this restriction...
Remain in the Order?
Be removed from the Order?
Altered? If altered, how?
Reasons?

2. Touting for services/ donations

- a. Have you witnessed/ been affected by this type of anti-social behaviour in the city centre?
No
Yes. If yes, please give any details including at what times of the day/ night.
- b. Would you wish to see this restriction...
Remain in the Order?
Be removed from the Order?
Altered? If altered, how?
Reasons?

3. Aggressive Begging

a. Have you witnessed/ been affected by this type of anti-social behaviour in the city centre?

No

Yes. If yes, please give any details including at what times of the day/ night.

b. Would you wish to see this restriction...

Remain in the Order?

Be removed from the Order?

Altered? If altered, how?

Reasons?

4. Flyposting

a. Have you witnessed/ been affected by this type of anti-social behaviour in the city centre?

No

Yes. If yes, please give any details including at what times of the day/ night.

b. Would you wish to see this restriction...

Remain in the Order?

Be removed from the Order?

Altered? If altered, how?

Reasons?

5. Dogs to be on a lead

a. Have you witnessed/ been affected by this type of anti-social behaviour in the city centre?

No

Yes. If yes, please give any details including at what times of the day/ night.

b. Would you wish to see this restriction...

Remain in the Order?

Be removed from the Order?

Altered? If altered, how?

Reasons?

Possible New Restrictions

The following new restrictions are being proposed and we seek you views on these

6. Intoxicating substances -no consumption, Possession or supply of intoxicated substances

a. Have you witnessed/ been affected by this type of anti-social behaviour in the city centre?

No

Yes. If yes, please give any details including at what times of the day/ night.

b. Would you wish to see this new restriction in a revised order?

Yes

No

Reasons?

7. Causing harassment, alarm or distress

“Not to behave (either individually or in a group) in a manner that has caused or is likely to cause a member of the public to suffer harassment, alarm or distress by that behaviour. (Persons who breach the above shall, when ordered to do so by an authorised person, disperse either immediately or by such time as may be specified and in such a manner as may be specified).

This is designed to disperse groups who are causing antisocial behaviour.

- a. Have you witnessed/ been affected by this type of anti-social behaviour in the city centre?
No
Yes. If yes, please give any details including at what times of the day/ night.
- b. Would you wish to see this new restriction in a revised order?
Yes
No
Reasons?

Proposed Revisions to Existing Restrictions

8. Touting for services/ donations

It is proposed that this restriction would be more effective if instead it is “No Street trading inc. peddling/charity collecting or touting for services/ donations unless covered by an existing Council-issued Street trading/charity collection consent, licence or written permission (does not include Big Issue sellers).”

- a. Have you witnessed/ been affected by anti-social behaviour pursuant to this activity in the city centre?
No
Yes. If yes, please give any details including at what times of the day/ night.
- b. Would you wish to see this revised restriction in a revised order?
Yes
No
Reasons?

9. Aggressive Begging

If it proposed that this restriction be altered to include “no begging in the vicinity of a cash machine”; or instead altered to “No begging”.

- a. Would you wish to see this revised restriction in a revised PSPO in the city centre?
Namely- “Aggressive begging” to include “Any begging in the vicinity of a cash machine”?
Yes
No
Or instead, simply replaced with: “No Begging”?
Yes
No
Reasons?

Other forms of Anti-Social behaviour in the city centre

10. Have you been affected by/witnessed any other forms of ASB in the city centre, not covered by any of the above?

- No
- Yes If yes, please give any details, including at what times of the day/ night.

11. Would you wish to see any other restrictions to combat ASB in the city centre included in a revised PSPO?

- No
- Yes If yes, please give details.
- Reasons?

12. Any other Comments?

Then the usual demographics about gender, age, ethnicity and where live, frequency of coming into the city centre, in the day .. at night.

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Liberty House
26-30 Strutton Ground
London SW1P 2HR

TELEPHONE 020 7403 3888
FACSIMILE 020 7799 5306

DIRECTOR
Martha Spurrier

LEGAL OFFICERS
Emma Norton, Solicitor
Rosie Brighthouse, Solicitor
Debaleena Dasgupta, Solicitor
Lara ten Caten, Solicitor

Newport City Council
Civic Centre
Godfrey Road
Newport
South Wales
NP20 4UR

14 February 2018

Dear Sir/Madam

Newport City Centre PSPO

We write in response to Newport City Council's (the **Council's**) invitation to take part in the consultation on the Newport City Centre PSPO, which was introduced in November 2015 and which is currently under review (the **PSPO**).

Since their inception, Liberty has been concerned by PSPOs that are too widely drawn, vague, and that disproportionately impact the most vulnerable – in particular, the homeless – and has been campaigning on the issue for some time. Encouragingly, a number of local authorities have responded to concerns regarding such proposals by choosing to amend or withdraw them altogether.

In particular, we write in respect of the changes being considered to the PSPO. Currently, the PSPO restricts begging in a manner which is aggressive or intimidating, or which harasses members of the public. We are concerned by the alternative to this that is being considered as part of the review – namely, that *all* begging in the city centre should be banned (the **Alternative**).

It is clear from recent press reports that the Council is concerned that the current restriction is unclear and difficult to enforce. Leader of the city's Conservative group, Councillor Matthew Evans, has said that he is in favour of the Alternative, as he believes that it would allow police to use their discretion and would not constitute a blanket ban on begging.¹ However, it simply makes no sense to suggest that the Alternative, which clearly amounts to a blanket ban on begging by encompassing all begging, contains any (or sufficient) scope for discretion. It is therefore not only cruel to introduce the Alternative in response to the Council's concern but also incredibly unfair: if someone begs for money, that is not harassment or antisocial behaviour; that is a plea for basic compassion.

1

[http://www.southwalesargus.co.uk/news/15808681.Opinion divided on proposed Newport city centre begging ban/](http://www.southwalesargus.co.uk/news/15808681.Opinion%20divided%20on%20proposed%20Newport%20city%20centre%20begging%20ban/)

Further, imposing a blanket ban on begging is unlawful. Section 59 of the Anti-social, Behaviour, Crime and Policing Act 2014 provides, *inter alia*, that PSPOs can be put in place to prevent activities that have had or are likely to have a detrimental effect on the quality of life of those in the locality. Sitting on the street with a container does not amount to anti-social behavior: it amounts to poverty and having no other means of supporting oneself. Further, a blanket ban of begging is likely to disproportionately affect those who are homeless and do not have other means of supporting themselves.

The government's statutory guidance issued on 17 December 2017 clearly advises against such targetting:

"Public Spaces Protection Orders should not be used to target people based solely on the fact that someone is homeless or rough sleeping, as this in itself is unlikely to mean that such behaviour is having an unreasonably detrimental effect on the community's quality of life which justifies the restrictions imposed.

*These Orders should be used only to address any specific behaviour that is causing a detrimental effect on the community's quality of life which is within the control of the person concerned."*²

In addition, a PSPO must be proportionate to be lawful. The blanket ban created by the Alternative is, by contrast, disproportionate as it targets vulnerable members of society with financial penalties that they cannot afford. There is no evidence that the Council has considered whether this blanket ban is the least intrusive way of achieving its aims.

The Alternative also constitutes an interference with Articles 8 and 10 of the Convention. Local authorities are bound by section 6 of the Human Rights Act 1998 not to act in any way which is incompatible with any rights contained in the Convention. The measure interferes with these rights in two ways: firstly, begging is arguably an expression of poverty and disadvantage, and criminalising such conduct may undermine the right to freedom of expression under Article 10 of the Convention. Secondly, Article 8 of the Convention extends to the protection of personal autonomy and can apply to activities conducted in public; this is especially true of the homeless whose scope for private life is highly circumscribed. Begging is a form of interaction with others and, in our view, its blanket and untargeted criminalisation falls within the scope of the right to respect for private life in Article 8.

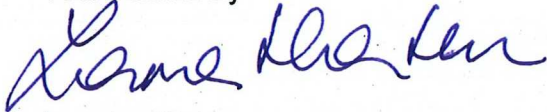
Further, banning begging is effectively trying to ban poverty and will be ineffective. As the statutory guidance suggests, *"introducing a blanket ban on a particular activity may simply displace the behaviour and create victims elsewhere"*.³ Councils should therefore consider the knock-on effects of the decision to introduce the Alternative and ensure that it is a reasonable and proportionate response to incidents of anti-social behaviour in an area. If the Council would like to effectively address the issue of begging, it should consider engaging with national or local homeless charities, in particular when considering restrictions or requirements which may impact on homeless people.

² <https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour>, p51

³ <https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour>, p49

Finally, under the Act, the council may designate someone else (including a private company employee) to issue fixed penalty notices to anyone that they reasonably believe is in breach. Liberty is aware that many councils have chosen to enforcement powers for PSPOs private companies. We are very concerned by this practice as private companies would not have the same level of training or oversight as the police or council officers. In addition, if the contract allows them to keep the revenue or makes payment proportional to the number of fixed penalties issued there will be a huge financial incentive for the private enforcers to issue fixed penalty notices. We therefore consider that the Council should not pursue this method of enforcing any PSPO but in particular those who seek to criminalise poverty.

Yours sincerely



Lara ten Caten
Solicitor

0207 378 3658

laratc@liberty-human-rights.org.uk

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ConsultationResponse

FROM THE RSPCA IN WALES

Consultation response: Newport City Centre Public Space Protection Order

February 2018

RSPCA Cymru is responding to Newport Council's PSPO consultation relating to the city centre PSPO with regards to condition seven ensuring that dogs are kept on leads.

Under the existing Dog Control Order, it is already "an offence to fail to remove dog faeces deposited by a dog under your control"¹. RSPCA Cymru understands that dog fouling is a major issue for towns and cities across Wales. Therefore, in order to increase responsible dog ownership and improve the relationship between dog owners and the wider community, the RSPCA agrees that it should continue to be an offence for an owner not to clean up their dog's faeces.

Several local authorities in Wales have also introduced a new condition within their PSPOs which would require dog walkers to carry an appropriate receptacle for dealing with their dog's waste, such as a poop bags or other means at all times. RSPCA Cymru believes that this would also be beneficial in helping to improve responsible dog ownership.

Condition 7: Any person in charge of a dog within the restricted area shall be in breach of this Order if he/she fails to keep the dog on a lead (of no more than 1.5 metres in length).

Whilst owners may claim to have effective control of their dog when off the lead, keeping the dog on a lead prevents incidents from occurring, especially in a potentially stressful situation such as a city centre location, and therefore the RSPCA supports retaining this proposal. RSPCA Cymru recommends to owners that they take their dogs behaviour into account before exposing them to potential stressful situations and if necessary seek advice from their vet who may refer them to a clinical animal behaviourist.

RSPCA Cymru would encourage, as part of these proposals, to take the opportunity to introduce wide ranging promotional materials with a strong educational element about the PSPO requirement but also signposting dog owners to accredited websites or organisations for help on training and behaviour, and the general promotion of responsible dog ownership². In the event that a dog owner decides that they can't take their dog into the city centre, it should be clearly stated that they must not leave their dog in a car, especially on a warm day, and that they should consider alternative arrangements.

Although the condition requires a length of "no more than 1.5 metres in length", RSPCA Cymru would encourage discretion by enforces, for example, allowing situations where the lead is greater than 1.5 metres but the dog is still under "effective control" and is not causing a nuisance to other city centre users. To ensure that this condition is administered appropriately, RSPCA Cymru would like to see that the experience, knowledge and training of the officer imposing the condition is sufficient to ensure

¹ <http://www.newport.gov.uk/en/Transport-Streets/Dog-control/Dog-Control-Orders/Dog-control-order.aspx>

² In 2015 the Welsh Government commissioned the RSPCA to investigate Responsible Dog Ownership, as such a joint report by the RSPCA, Police, Local Government and Dogs Trust was submitted to the Welsh Government in March 2016 with recommendations for one portal or website hosting all relevant information for dog owners. A copy of the report can be found here: <http://politicalanimal.org.uk/wp-content/uploads/2016/03/Responsible-Dog-Ownership-Review-March-2016.pdf>

the welfare of the dog is not compromised e.g. that they are able to signpost the owner to someone appropriate for further advice regarding their dog's behaviour.

Dog owners must also remember their responsibilities under the Animal Welfare Act 2006, especially the need to allow their dog "to be able to exhibit normal behaviour patterns"³. RSPCA Cymru would encourage dog owners to consider a range of walking opportunities to allow their dog to be on and off the lead being able to meet, play and interact appropriately and adequately with other dogs and humans to ensure they, and in particular puppies, develop into well adjusted happy individuals. RSPCA Cymru does recognise that not all dogs will be well-socialised and may find other animals or people threatening and where this is known then they should be encouraged to seek advice about their dog's behaviour and apply measures to ensure their dog doesn't pose concern to the community.

³ <https://www.legislation.gov.uk/ukpga/2006/45/section/9>

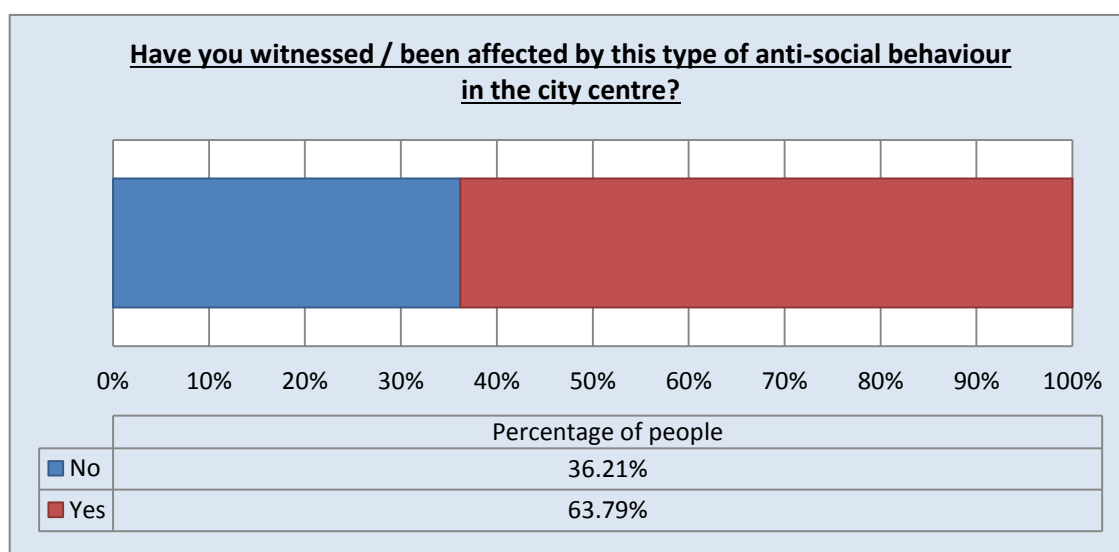
Consultation Responses

Collation of Questionnaire responses -61

Street Drinking - Q1a

	Number of people	Percentage of people
No	21	36.21%
Yes	37	63.79%
Total responses	58	

3 No reply



If yes, please give any details including at what times of the day / night: (33 comments received)

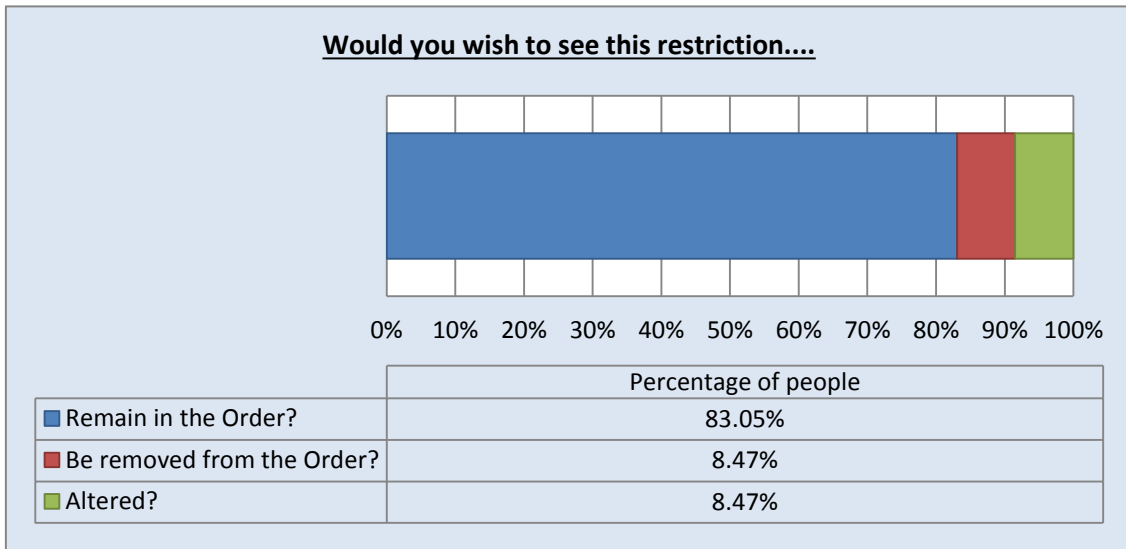
Regularly see people walking through the town centre drinking alcohol
Kids on push bikes. Hanging round running drugs for pushes
I have witnessed aggressive begging with verbal abuse regularly in town and Clytha typically from 10am to 10pm.
Late mornings and at lunchtimes.
All times of the day
Whilst I haven't seen drinks in hand the behaviour of some individuals during the day and night can only be attributed to drink and/or drugs.
8am on Stow Hill and on Commercial Street at 5.30pm - men obviously drinking in the Stow Hill Car Park and also drunk and shouting on Commercial Street
People lying in the street in broad daylight drunk and/or high. Shouting, abusive threatening behaviour during daytime.
Drunk people on multiple occasions starting fights or hanging around on city centre benches DAY and NIGHT.
Yes you the council have created a lovely walkway area for the alcoholics to use as a congregation area and toilet !!
Both during the day and night

Wednesday 17th, approx 3pm, a couple were arguing outside H Samuels, drinking and almost fighting in the street, also it's not a strange sight to see someone walking around with a beer can in their hands during the day
Understandably there will be a level of drinking in the evenings, but the daytime drinking still seems to have little active control. I can't recall many lunch times I've walked into the city centre without seeing persons under the influence shouting/arguing or swaying to and fro. Some of their aggressive and loud behaviour concerns me as I have an elderly relative who's recently moved to Newport, who has mild dementia. I worry that she may get caught up in something by not understanding the dangers posed.
In the foyer of my MSCP on High street
Seen it but not been personally felt threatened or intimidated by it
Very nervy in evening
I own a cafe on Charles street and regularly see homeless drinking on bench outside shop
Yes you often see disreputable characters carrying cans of alcohol with them
Known street drinkers purchase or steal alcohol and then decant it into soft drink containers which they drink in the city centre.
At night in the city centre- youths
Drinkers hanging around the bottom of Stow Hill outside the drop in centre, getting into rows and fighting with each other. They also openly inject drugs, including taking their trousers off to do so in their groins. This is in broad daylight. I call the police about these issues, they turn up and have a laugh and a joke with this group, then leave them to carry on as they are.
Late afternoon and night time/evening
Gangs hanging around drinking
Daytime
I have seen all the above ASB in the city centre in the day at night
Regularly see people under the influence of alcohol walking through the city centre with cans of cider/beer in their hand during the day, even as early as 10 a.m. During the evening night I've seen it on a regular basis but it is not as obvious as others are out drinking in pubs etc.
Most mornings 10/11am and most afternoons they drinking alcohol it includes men and women by the leisure centre, commercial street both ends sleeping on benches at the bottom end of town
Visibly drunk people drinking on the street both day time and night time
All times of day
I feel this is still a constant problem, particularly in the new square opposite St Paul's church, where people also take the drug Spice. The square is being referred to locally as 'Spice Square'. It is sad that a new public space has already acquired a bad reputation. Furthermore, the smell of skunk cannabis hangs over the area and can often be smelled in the street.
Any time - racial abuse (police come to support).
Small Groups congregating by Commercial Street near Emlyn Walk and at the new park / open space area opposite St. Paul's Church during the daytime.
Day and night
Sometimes in the main shopping St

Street Drinking - Q1b

	Number of people	Percentage of people
Remain in the Order?	49	83.05%
Be removed from the Order?	5	8.47%
Altered?	5	8.47%
Total responses	59	

No reply 2



If altered, how? (9 comments received)

No bikes after 6 pm unless to or from home to work with proof need !
Prohibit all begging in town and Clytha. A
I would like to see this actually enforced by seeing police officers dealing with people who are drunk/high. I work in the city centre and never see anyone on patrol.
MORE officers or community support on the street
I'd like to see it being enforced
This should be enforced by regular interventions being made by authorised persons with known street drinkers.
Increase the area this applies to.
Include the use of recreational drugs.
Only remove alcohol that is open and being drunk

Reasons: (12 comments received)

Cut out supply of drugs and dangers to old and law abiding civ.
It gives Newport a bad reputation

I have to walk past Clytha and through the city centre, most days on my way to and from work. I am asked for money upto 5 times during this walk, I have been sworn at and threatened several times in the last few years, although most of the beggars just ask the next person walking along. I have felt frightened and have talked to several people my age and older that avoid the city as they are frightened of saying no and haven't got money to spare.

I would like to see this actually enforced by seeing police officers dealing with people who are drunk/high. I work in the city centre and never see anyone on patrol.

city centre high street not maintained well enough.

It actually would be nice to see community police actually confiscate alcohol instead of turning a blind eye

If it's currently in the order, why is it still so prevalent? either it's not being enforced effectively, or it's insufficient as a deterrent

Having this restriction in place stops sensible social drinkers from the pleasure of drinking outdoors in the summer months. Surely any individuals taking advantage of this can be dealt with by the police as and when necessary?

I would like to know what the punishments are for breaking the restrictions? court orders? moving people along doesn't seem to be working as a deterrent

I don't think it is appropriate for young family members to witness people drinking in the street during the daytime behaving in a drunken manner during the daytime - night-time is more difficult to manage as it's not as obvious when others are stood outside pubs smoking etc. with their drink

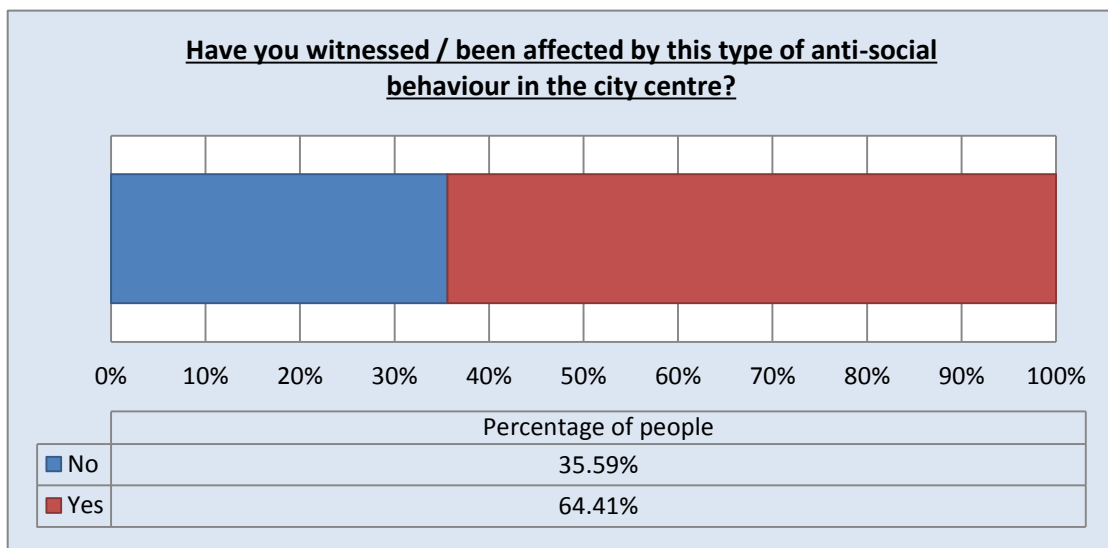
Spice Square; smell of cannabis; cans of lager in hand.

Shouldn't be able to remove alcohol that is not being drunk. Have witnessed those entitled to remove alcohol doing so in an authoritarian manner....using power beyond what is deemed necessary.

Touting for services / donations - Q2a

	Number of people	Percentage of people
No	21	35.59%
Yes	38	64.41%
Total responses	59	

No reply 1



If yes, please give any details including at what times of the day / night: (34 comments received)

Been approached on several occasions by accident claim firms on commercial street
Pm after 6 pm.
Any time during the day when companies promising to sue and get money for 'trips and falls' can be seen in the main street.
As I walk through the city most days I get frustrated at the same sales pitch daily, sometimes twice a day depending on my shift pattern.
At all times of day mainly in Commercial Street
All times of the day and night even at 5 am on the train station platform
Constantly being asked by the people outside W H Smith selling internet broadband + all sorts of touting of PPI/Accident Claims etc. outside Boots on Commercial Street
Constantly being asked for donations, in a very pushy manner - especially the Talk Talk sales reps which are usually outside of WH Smiths on Commercial Street. They even follow you and still pressure you in the discussing you ISP with them even though you have told them that you have no interest. Also, the two men (usually outside of Iceland on Commercial Street) about Injury Claims. I think a limitation or ban should be in place as we don't need these individuals on the streets of Newport bothering you when you are in the City Centre. I am happy for Charities etc., but if I wanted to change my ISP or purchase something, I would contact them.
Big issue sellers, PPI ambulance chasers, AA sales people, Homeless people in every doorway begging.
Every day, every night beggars and buskers placed at different places in town aggressive begging.
I pulled up to work and to park my car in Com st and a street walker approached my car saw I was a woman and left thankfully!!
During the day by various organisations including Greenpeace and animal charities.
Outside WH Smith, during the day, approaches individuals basically begging them to go to their stall
Lunchtimes in Newport I seem to always be approached by people wanting donations for this, or that, wanting to know who my broadband provider is or whether I've had an accident. If I want any of these things, I'll go and research them myself, I have no need of being accosted in the high street. It also makes for very awkward encounters as I rarely wish to be rude by ignoring someone who's trying to engage with me, but equally don't have any interest in entering a conversation.
Anytime during the day
Between 8am and midday a vagrant sits outside of the newsagents next door to Greggs
Sky tout on Commercial Street everyday plus other organisations, it makes it uncomfortable to go about your day when you are constantly being called or someone tries to stand in your way.
Various times during the day
Mainly during the day, Religious preachers, charity collections etc.
People sometimes come into our shop asking for donations
Working in the city centre I'm regularly approached by beggars at all times of the day and night.
Cannot avoid it anywhere
Charity muggers are frequently encountered in the High Street, especially outside WH Smith.
Persons using the city centre regularly are constantly approached by persons looking for donations or seeking business from them. Individual approaches may not be considered anti-social but persistent requests to engage in conversation with different organisations on many days of the week is a nuisance to regular city centre users and workers. Persons offering services

or asking for donations should wait to be approached and not try and engage persons going about the daily business.

No win, no fee insurance are a nuisance during the day.

Through the day in the High Street and at cash point machines/car park pay machines

Daytime

Throughout the day

Whenever you walk through the city centre there are organisations ranging from TV companies, charities, blame/claim insurance companies trying to get you to sign up. Unfortunately the charities probably aren't as successful as they could be as people are so fed up of being approached by the hard-sell companies.

Every day morning noon and night.

Chuggers being overly pushy on the High St

This used to be a major problem but I feel the order has really helped. It does still go on though particularly outside the TSB bank. Some of the religious preachers can also be a nuisance.

Commercial street - there is always someone there asking if I've had an accident, or trying to sell something.

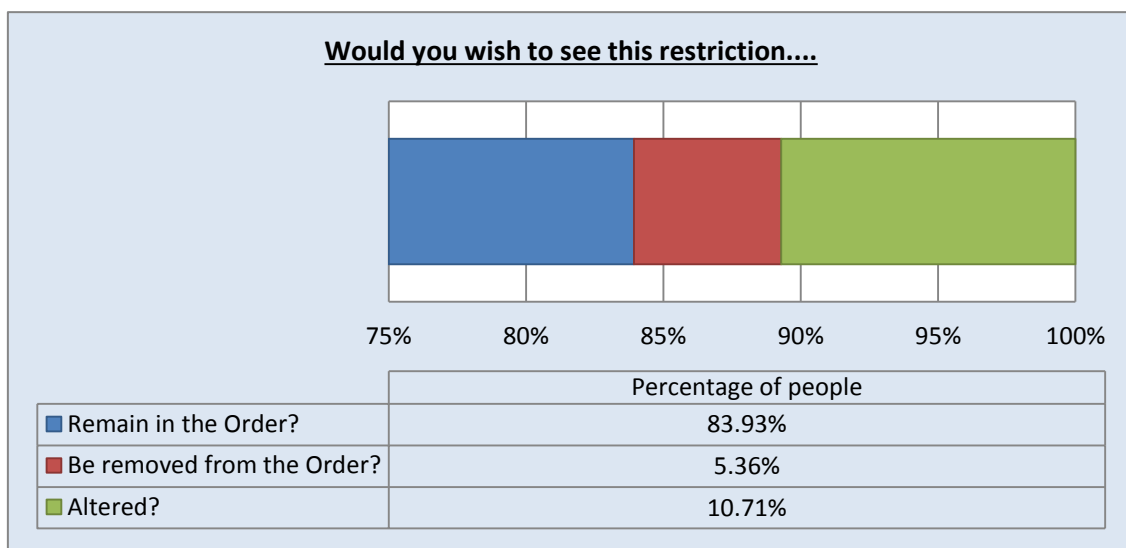
During day

"Chuggers" from multiple charities - in the retail streets but less today than in previous years- 3/4 years ago. Believes this is because of the scandal in Bristol which resulted in a prosecution

Touting for services / donations - Q2b

	Number of people	Percentage of people
Remain in the Order?	47	83.93%
Be removed from the Order?	3	5.36%
Altered?	6	10.71%
Total responses	56	

No reply
5



If altered, how? (9 comments received)

Changes to keep those touting for services in the PSPO, remove charities.
There are far too many people/organisations asking for donations and/or selling their services in a small section of the street. Each one of them tries to engage with or stop you. You should restrict the amount of them in this short stretch.
Limited those allowed to tout on the streets and only allow charities and limited the number allowed to be on the streets/day. Stop all selling of products in a pushy/pressurised manner
Actually being asked to move on.
If they are homeless take them to salvation or Eden centre make sure people can tell the difference between homeless and opportunists.
They shouldn't be able to move a certain distance away from their stall to gain attention of individuals, this way people can avoid them
I'd like to see it being enforced
I think these are authorised - i.e. the 'have you had an accident' booth outside Iceland stores and the Broadband people outside Smiths. It gets very weary being asked the same questions if you go into town every day. Can't they just be removed full stop.
It needs to be enforced!

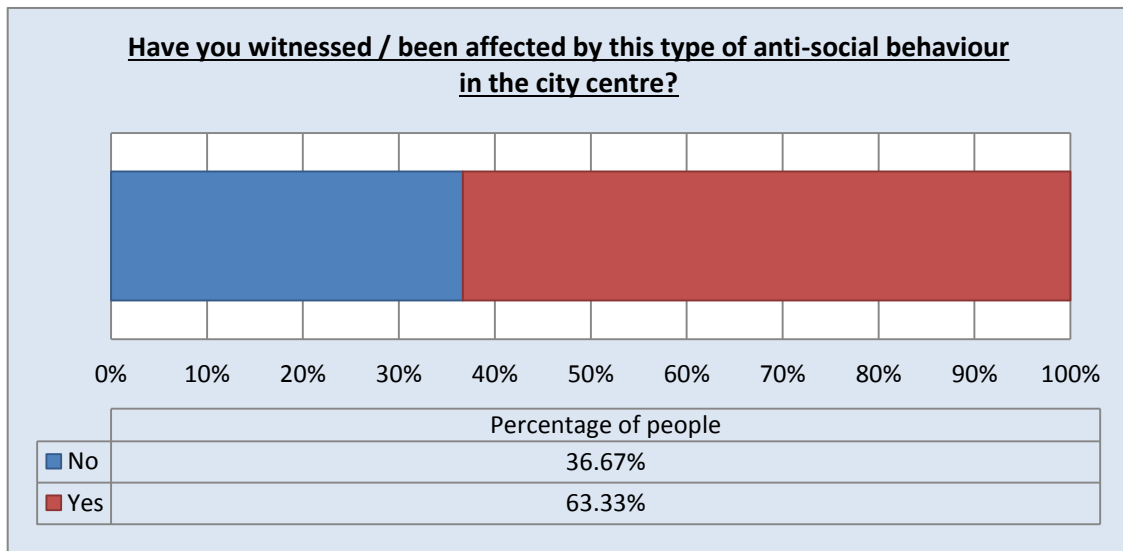
Reasons: (8 comments received)

Keep the litigators off our streets, the charities pose no problem.
Too many drug users scaring tourists or shoppers away from city centre.
If it's currently in the order, why is it still so prevalent? Either it's not being enforced effectively, or it's insufficient as a deterrent. If companies are given permission to sell services in this way they should have a stall, but sit there quietly until approached, otherwise I feel it's too much like active begging
Needs to be upheld.
You need be able walk around without being approached
Please see above
It would be much nicer to walk through the city centre without the feeling of being hassled every five minutes
This is an intimidating activity
Doesn't want to be bothered by chuggers or people like them.

Aggressive Begging - Q3a

	Number of people	Percentage of people
No	22	36.67%
Yes	38	63.33%
Total responses	60	

1 No reply



If yes, please give any details including at what times of the day / night: (32 comments received)

As above
Most times of the day but mainly during the working day hours i.e. 9-5
Predominantly during the day you can't seem to walk more than 200 yards without being approached for money. Whilst I understand homelessness is an issue this makes for a very unpleasant town centre and puts people off coming there and instead heading to The soulless Spytty Park
8am in the morning - can't walk into work without being asked for money - Stow Hill and Commercial Street. Every lunchtime being asked for money from various people in the doorways of empty shops on Commercial Street
Extremely difficult to shop in Newport due to the sheer amount of beggars/homeless people.
Over the Christmas period on multiple occasions mostly after 4pm.
During the night mostly, or before 9am, people becoming aggressive when you refuse to give them any money/ cigarettes
During the day, homeless asking for change and then becomes verbally abusive when you say no or that you don't have any.
Mostly daytime, particularly around the office and provisions market areas. Initially asking for cigarettes, then some money.
Daily
Various times of the day, sometimes in the car park other times at the crossroads by McDonalds.
During the day outside the back of the market all the time day and night

I witness on a daily basis begging in Commercial Street, Bridge Street and High Street. There are homeless people asleep in the doorways when I go to work and others dotted around the main streets begging. One man outside the Westgate approached two elderly ladies and asked them for money. The ladies said they didn't have any changed and turned away to which the man said loudly "thank you ladies bless you, enjoy your f***ing coffee and cake in Debenhams." I have even had a man try to escort me to buy cigarettes so I could give him one.

Most times of day, walking in certain areas guarantees being approached for money, cigarettes etc.

Working in the city centre I'm regularly approached by beggars at all times of the day and night.

Constant behaviour throughout the city centre

This is happening at all times of day and night !!! You can't walk through city without be accosted by several homeless people. Talking to my customers all I hear is you don't get this in Cwmbran and therefore are spending more of their time and money there.

Yes in the High Street and in the underpass

On street beggars are still a problem in Newport city centre, times vary depending on the 'needs' of the person begging and the number of members of the public who may be targeted by them at certain times of the day and evening eg lunchtime shoppers, workers making their way home, persons using cash points. The definition of aggressive begging needs to fall in line with other locations. Aggressive begging is subjective to the person being approached and more should be done to encourage reporting of individuals for other attention by public services and agencies.

All times of the day. Around the ATMs asking for money for coffee, but they clearly only want the cash. I find them a bit intimidating.

All times of the day up until about 7pm. e.g. on Charles street pairs of beggars will situate themselves at either side of the walkway opposite each other so you have no choice but to walk near them. When on the phone I have been asked for money, I didn't respond because I was on the phone and one said 'Suppose I'm invisible am I you bitch'. How lovely. Puts me right off coming into town it is a small area in geography with many people begging in all locations except Friars Walk. It is intimidating for me and I am in my 30s I can't imagine what older people feel like.

It's impossible to walk the length of the street without being asked for money at least 5 times

All day and in the night

Morning, noon and night every corner there seems to be a beggar by Lloyd's bank , the BHS , the old wimpy -too many

By the car park paying machine in the new shopping area, mid-morning and again in the afternoon

On a daily basis I am asked for money. I have been followed and stopped and asked

Aggressive begging at bottom of Bridge Street (between NatWest & HSBC banks) males asking for money, sat very near cash machines which is intimidating and uncomfortable; another male regularly sits on pavement at bottom of Bridge Street (near Greggs) asking for money in a persistent manner. Behaviour witnessed late afternoon/early weekday evenings - 1700-1800 hrs.

This is better but the cash machines at the bottom of Stow Hill by the statue remain an issue, behaviour there is very antisocial and intimidating particularly at night.

People asking for money.

People asking for money so we should help them.

People who are homeless asking for money - we should help them.

Number of individuals acting alone or sometimes in a group asking for money. I have experienced this near the banks at Bridge Street, Cambrian Road and High Street area.

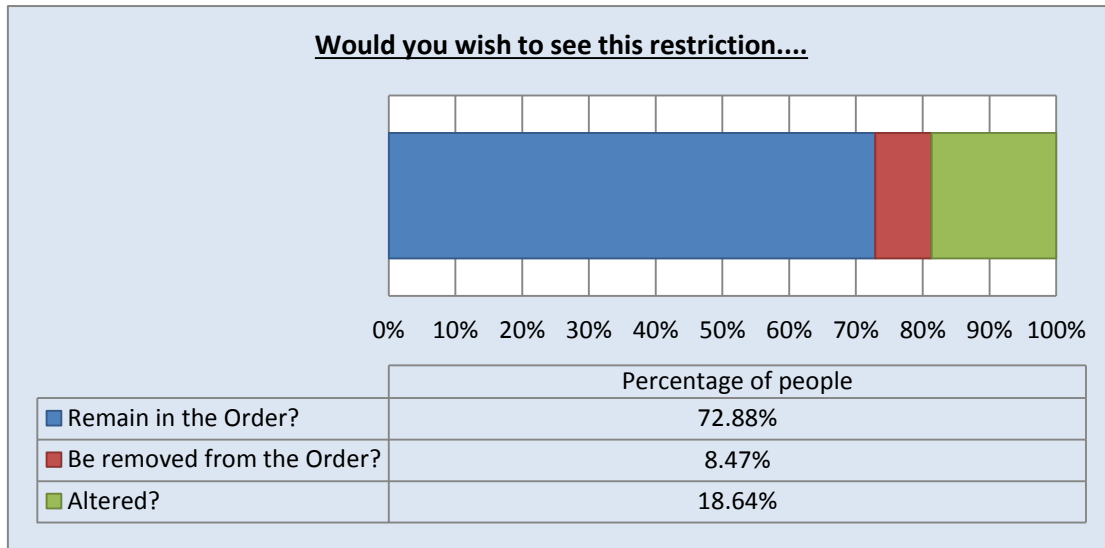
Outside the corner of the Tesco Express corner of Park Rd- in the day and sometimes in the evening too. Like Tesco Express, sometimes three outside the door. There's "Big Issue" sellers outside the shops, sometimes as many as three.

Bad for locals who want to use the shop.

Aggressive Begging - Q3b

	Number of people	Percentage of people
Remain in the Order?	43	72.88%
Be removed from the Order?	5	8.47%
Altered?	11	18.64%
Total responses	59	

2 no reply



If altered, how? (14 comments received)

A definition of "aggressive" needed. yes, there are many homeless/rough sleepers in the city centre and SOME may ask for spare change but I have never seen members of the public harassed in any way.
Anyone found begging removed from city centre for 48 hrs.
Actually be dealt with. Visible lack of any enforcement.
If threats are being made arrest them, or move them.
Not aggressive begging but soo much you don't know who is genuine
persons not to sit on the floor when benches are provided. collection points to be established for donations for homeless charities
I'd like to see it being enforced
Just stop people begging by whatever means (moving them on/ arresting if necessary). The majority only want money for drink or drugs - I've bought a sandwich and coke for someone outside Tesco which was rejected! I now have zero sympathy or tolerance for beggars.
It needs to be far more aggressive to physically BAN them from town centre
To include begging near ATMs, but ideally no begging at all.
Ban begging altogether - see reasons below on what would work better.
A way of engaging with those who aggressively beg and support and signpost to suitable services, do supporting people go out in the community to get referrals?
Need to ensure that no-one is begging by sitting/standing by cashpoints
Only aggressive begging needs to be in the order

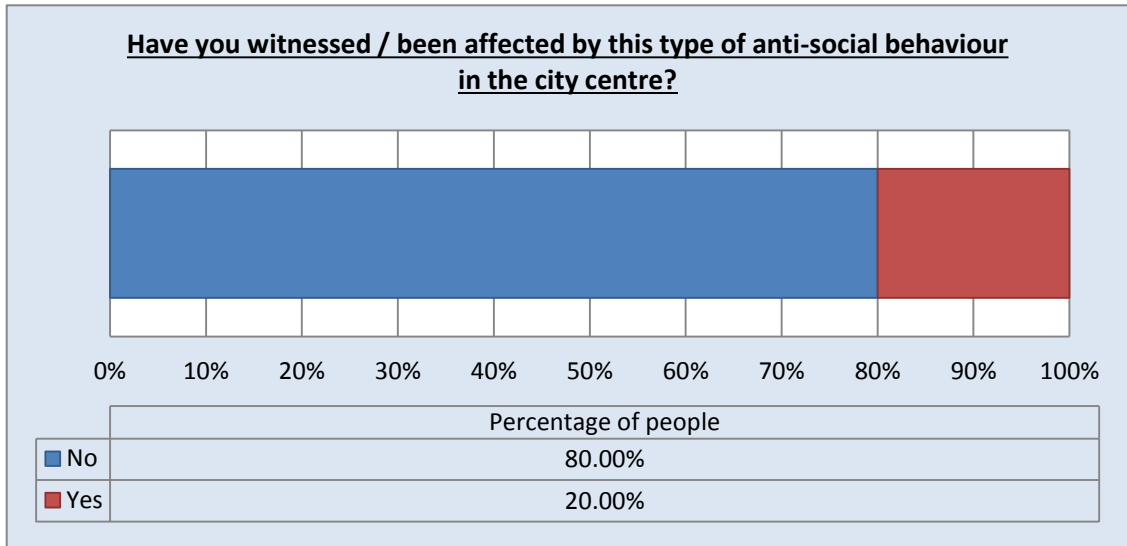
Reasons: (14 comments received)

<p>What does issuing a PSPO to these often venerable individuals achieve? they do not have the funds to pay a fine anyway. whatever the reasons or causes for an individual to be homeless/rough sleeping/begging, they are usually very much in need and if any new policies or orders are made, then suitable provisions need to be secured to ensure that people or not further persecuted. it may be true that some are not genuinely homeless but the majority are. No-one likes seeing homelessness/rough sleeping, it obviously makes people feel uncomfortable and maybe distressed but that shouldn't mean that people should be protected from seeing it, it means that there are issues that need to be addressed to prevent the level of rough sleeping we have in the city.</p>
<p>How is 'aggressive begging' defined? Surely any type of aggressive behaviour is already covered by our laws and is well within the powers of the police to deal with.</p>
<p>So people can shop, socialise without fear or intimidation.</p>
<p>They scare away anyone.</p>
<p>to reduce aggressive begging and to improve support to homeless charities</p>
<p>If it's currently in the order, why is it still so prevalent? either it's not being enforced effectively, or it's insufficient as a deterrent. There is little understanding of what we should do to support homeless/beggars, by giving them money we perpetuate the begging or enable their addictions. If we give them food instead, they save money, which enables their addictions. Either way wear further perpetuating the problem. I think the city need to look much further into the issue, banning begging isn't going to resolve the reasons why these persons are present in the first place, by addressing the underlying issues more effectively, this may see a larger decrease.</p>
<p>Needs to be upheld especially on Saturday nights when there are double the amount of beggars.</p>
<p>Elderly need feel safe at any time</p>
<p>I suspect they just use the cash for drugs/ alcohol and that many are not homeless. They can be a little frightening.</p>
<p>there is a strong network of support in Newport, drop in centres, housing support, drug and alcohol services, needle exchanges, Salvation army, food banks, charities etc. There are also a lot of individuals doing drop offs of food and hot drinks. Being with no fixed abode does not prevent you from claiming benefits you are entitled to. There is a huge amount of help and support in Newport and the experts on homelessness e.g. Thames Reach make it clear that 80% of people who beg on the street do not need to beg for accommodation. The Council should be promoting alternative ways the public can help people e.g. donations through established organisations who understand the complex reasons behind these issues and can help much better than giving money to people directly.</p>
<p>want to avoid social cleansing</p>
<p>It's very uncomfortable when you are approached by someone as you are using a cashpoint - you can feel vulnerable yourself and it has crossed my mind that they may just try to take my purse. It's particularly difficult when you have a small child with you as you are trying to look after them and being approached by a stranger is something you try to encourage children not to be accepting of</p>
<p>Not an alteration as such but I want to emphasize the 'aggressive' part. People don't choose to beg on the streets, and it benefits no one to criminalise the most vulnerable in our city. If someone is sitting quietly and not chasing people down or shouting obscenities, they should be left alone.</p>
<p>Aggressive begging is intimidating</p>

Flyposting - Q4a

	Number of people	Percentage of people
No	48	80.00%
Yes	12	20.00%
Total responses	60	

1 No reply



If yes, please give any details including at what times of the day / night: (9 comments received)

Fighting drunken high behaviour during daytime.

Numerous posters on empty shops. Youths putting stickers and spraying all sorts on shop windows throughout the night.

I don't see this as a major problem, unless the messages portrayed are damaging/racist/inciting hatred. If it's someone advertising a proper business or event and they also remove the items afterwards, then I have no issue.

Generally between the hours of 5pm and 9pm

on the lamp posts outside shop

People come into the shop sometimes

All over empty buildings

It can be seen throughout the city and is unsightly

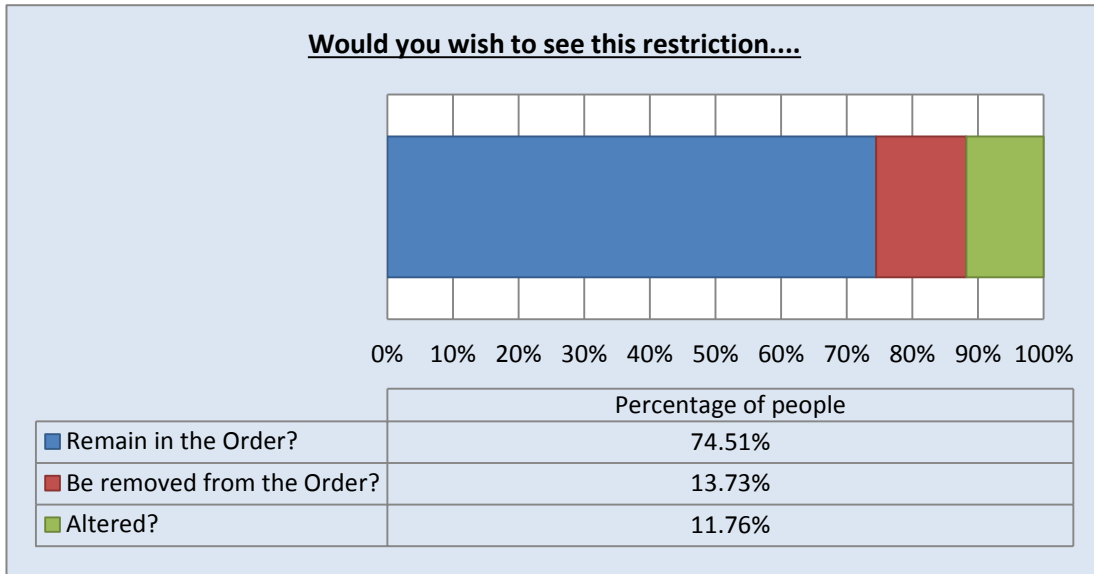
Haven't seen anyone put up flyers, but they pop up everywhere, particularly around Dock Street and the market

On the walls in Stow Hill e.g. the Old Chapel. Also next door to Convey Law Offices.

Flyposting - Q4b

	Number of people	Percentage of people
Remain in the Order?	38	74.51%
Be removed from the Order?	7	13.73%
Altered?	6	11.76%
Total responses	51	

9 No reply



If altered, how? (6 comments received)

It is unsightly and we need the city centre to be a clean, tidy, safe place.
To be stopped completely and those who fly post should be fined. They target derelict buildings making the area look much worse and delapidated
Actually be dealt with.
More assistance in city centre.
Put restrictions on the nature of the content (nothing racist, derogatory etc.) ensure it has a contact who is responsible for them and their removal when expired
Perhaps allow for a fly-posting/events poster dedicated area in the city centre as opposed to posters badly posted on empty shops and walls making the city look scruffy

Reasons: (9 comments received)

This is not an issue that should be covered by a PSPO, no more than grafitti which I don't believe is covered?
Police presence is the only thing that helps.
Don-t see fly posting as a major issue if controlled.
Not really a massive concern
This is city. We should hav pride in how it looks to visitors

It's good to allow entrepreneurs to promote their events but by not giving them an outlet they will carry on posting where they shouldn't

I don't feel this is major issue. Guerilla marketing can give a city a bit of underground culture but I accept this is a minority view.

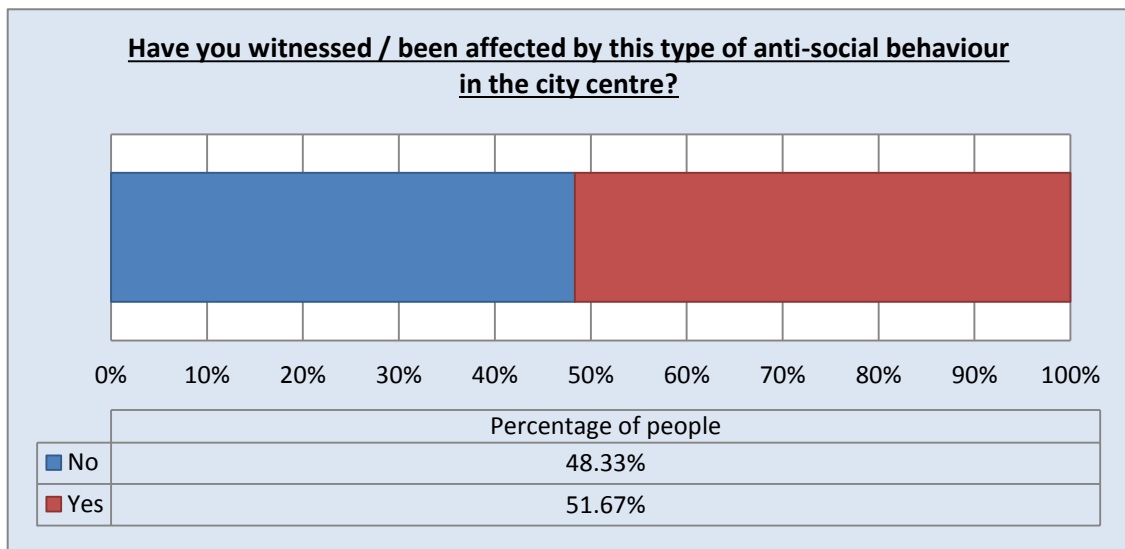
It's not something I see as a particular problem.

Looks unsightly

Dogs to be on a lead - Q5a

	Number of people	Percentage of people
No	29	48.33%
Yes	31	51.67%
Total responses	60	

1 No reply



If yes, please give any details including at what times of the day / night: (22 comments received)

No dog in city centre unless police dogs

10am to 10pm all through town.

All times of day and evening

Yes both day and night normally groups of loud, aggressive individuals who are very intimidating.

Watched a homeless person let his dog run free down Commercial Street today - large dog which obviously scared people walking by. Most of the homeless people have their dogs under control

Not many dogs on a lead. I witnessed fouling and asked the lady if she was going to pick it up she ignored me and walked away

Pit bulls not being on leads during the day

Dogs are always on lead but during the day/ evening a man appearing to be homeless walks his dog around and the dog seems very aggressive, constantly barking and tries jumping on everyone

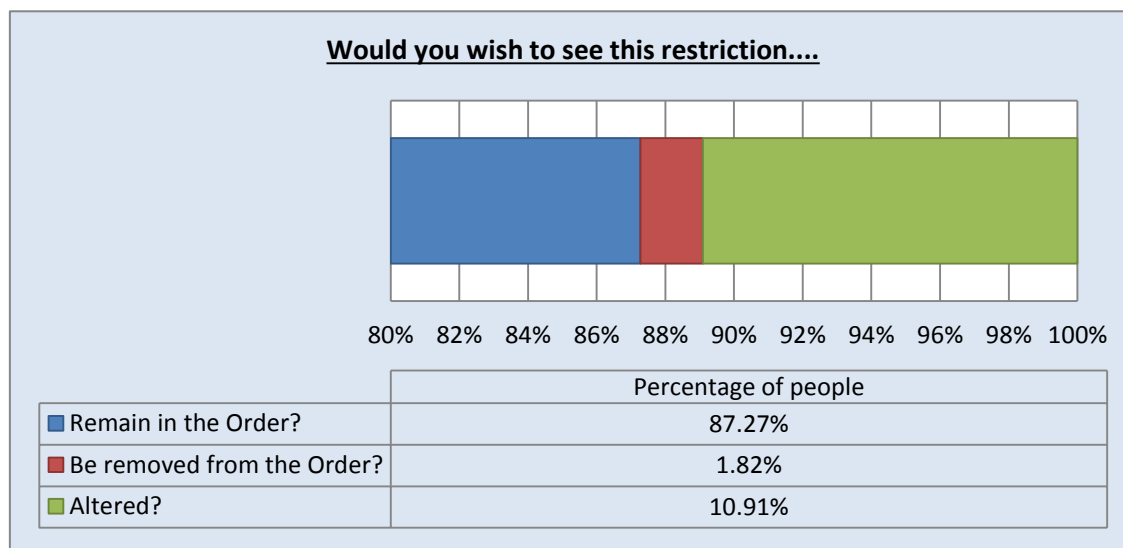
Typically homeless/street drinkers wandering through the city centre during the day. I have no issue with dogs, but the staff breed seems prevalent and I would be concerned for the safety of children and vulnerable people from uncontrolled dogs.

Daytime
I have a cat in my shop and there are always thugs with their dogs off leads I've actually had to chase one down my cellar with a brush to get it off my cat
There is a particular dog I often see which is off the lead and defecates without the owner picking it up.
Not all members public visitors are comfortable with dogs
Dogs should be on leads at all times in built-up areas
All the time
Throughout the day and evening
Generally homeless people with dogs.
Bus station - there are often people with dogs, occasionally not restrained.
Dogs not on a lead.
Dogs not on a lead so it frightens me.
Dogs not walking on a lead.
Dogs not walking on a lead.

Dogs to be on a lead - Q5b

	Number of people	Percentage of people
Remain in the Order?	48	87.27%
Be removed from the Order?	1	1.82%
Altered?	6	10.91%
Total responses	55	

6 No reply



If altered, how? (8 comments received)

After 6 pm
Any dog within the city centre should be on a lead at all times.
Actually be dealt with.
More policing of dog litter and mess.
The dog in question should not be allowed around crowds of people or walking along a busy city centre, also dog needs to see vet as he does not appear to be in a good condition.

I'd like to see it being enforced

Dogs (other than guide dogs) should be banned from the City Centre. Why would anyone need to take a dog there in the first place? The sort of people who have dogs in the City Centre are typically the ones who don't pick up the subsequent dog mess.

It might be worth altering it to 'appropriately restrained' rather than 'on a lead'

Reasons: (11 comments received)

Dogs should be kept on a lead in a public place, though I've never witnessed a huge problem here.

Safety of people and dogs.

High street often messy.

The dog seems aggressive and scared it could cause harm if let loose.

All dogs should be on leads

As above we need to upgrade our status as comfortable city for everyone

All dogs should be kept on a lead. Even if the dog is well-behaved some people are frightened when they approach and if not on a lead they can wander off and foul out of sight of their owner

Potentially the dogs could be a risk to children as are rarely controlled

This seems to be much better in the city centre now, so keep it up!

People with small dogs often just pick them up and would be in violation of the order even though they are restraining their dog. With some very large dogs, a lead isn't much use if the dog decides to take off.

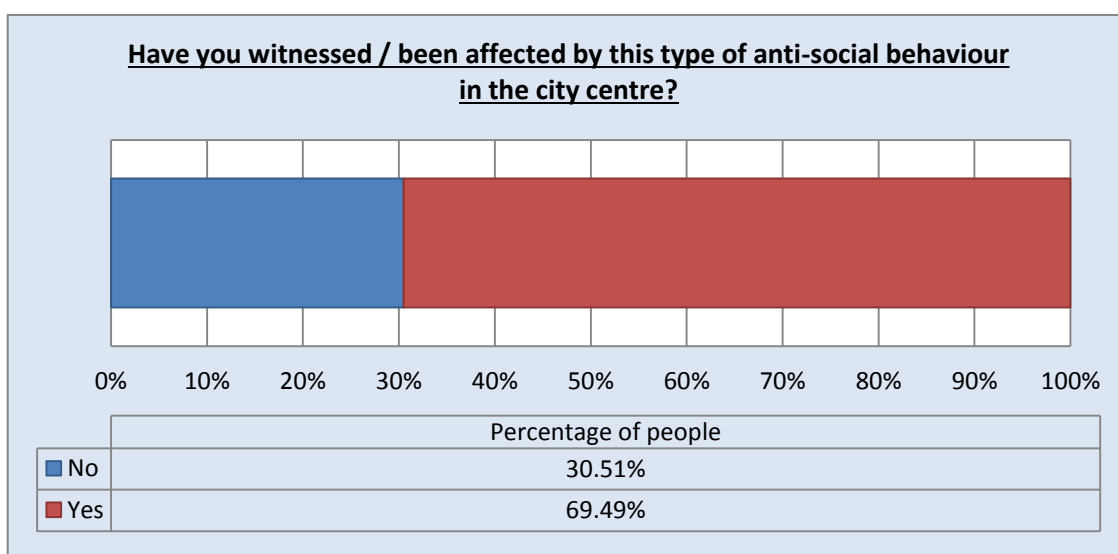
For health and safety of public against dangerous dogs

Sometimes see "thugs" walking with dogs (type of dogs that appeal to the people they are) without leads on the main street

New Restrictions: Intoxicating substances - Q6a

	Number of people	Percentage of people
No	18	30.51%
Yes	41	69.49%
Total responses	59	

2 No reply



If yes, please give any details including at what times of the day / night: (28 comments received)

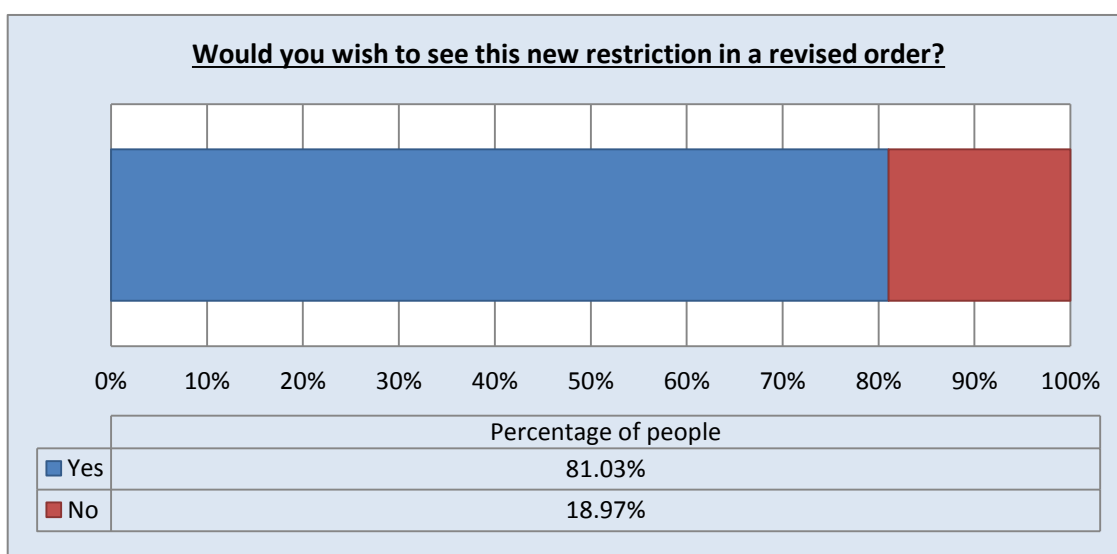
I have often witnessed this issue during day and night time.
Outside designated areas of house licence.
Gilligan's island and new open area by cathedral, throughout day, mainly summertime.
Day time
All times of the day. One of the biggest issues for Newport. Loud aggressive people that try to be intimidating.
See intoxicated individuals consuming alcohol etc. in the streets of Newport on a daily basis and can be intimidating and puts you off coming into Newport City Centre and can imagine that others are put off by this.
EVERY DAY there are drunk/high people wandering around city centre asking people for money. Either they are begging, screaming at the top of their lungs or just shoplifting for their next fix.
All day every day
People are using class a drugs on the high street especially around the back of friars walk area
Witnessed drug dealing by poundworld on more than one occasion. Witnessed intoxicated people stumbling everywhere and knocking into people
You cannot walk through Newport without being overcome by the strong smell of cannabis, it's very apparent.
Open drug dealing in the daytime. No law enforcement/rangers anywhere.
I have to remove known vagrants from my site in the mornings and there is usually a level of intoxication either through drink or drugs
People smoking cannabis for sure we could get high most days when the weather is good from the excess smoke coming in as the people walk by or stand outside also the amount of people that are off their faces walking around the bus station area of the market

All the time
Walking down the High street and occasionally can smell marijuana nearby.
The smell of skunk weed is prevalent everywhere in Newport
Mid-morning through to late night.
Some of the young people I see in the city centre in the early evening are clearly under the influence of some kind of "highs"
People passed out from taking drugs, people injecting drugs in broad daylight, people smoking drugs as they walk around town or in their cars.
Both day and night. Different people in the day than at night, through the day its people out of work/homeless and at night its young people having too much to drink.
Gangs hanging around obviously on drugs around the town
All the time
Alcohol and drugs during the day and night. Also seen people in the library and museum in John Frost Square who look like they have been drinking/taking something
Smoking marijuana and sniffing something but was not sure what it was
People clearly under the influence in the street and in public buildings such as the library
Have witnessed intoxicated individuals at bottom of Bridge Street (between NatWest & HSBC banks), sat on plinths drinking and shouting between 1700-1800 hrs when I am walking through town to catch the bus home. Have also seen intoxicated persons in the bus station behind the indoor market at the same times of day. They are loud and cause nuisance to those waiting for buses. Frequency varies; some weeks will see them nearly every day, other weeks it may be once or twice per week. I have also been approached by youths whilst I was waiting for a bus who asked me if I would buy them alcohol from the shop next to Capital Taxis (when I refused one youth became angry which was intimidating but he walked off after).
I didn't realise this would be asked hence I included it under alcohol. See comments above about 'Spice Square' and the smell of skunk.
People smoking drugs on the seats outside the Market main entrance at 1pm- a week ago- The smell was terrible.

New Restrictions: Intoxicating substances - Q6b

	Number of people	Percentage of people
Yes	47	81.03%
No	11	18.97%
Total responses	58	

3 No reply



Reasons: (23 comments received)

Must be in designated areas of house licences
The supply of drugs is illegal and there are already sufficient laws in place to deal with this.
If these substances were restricted then anti-social behaviour would significantly reduce along with the associated crimes
Any restrictions that can improve the image of our city are highly welcomed by me
Needs to be policed and monitored more and more of a police presence in the area
Actually dealt with.
They shop lift from small businesses or scare of any customers on the high street who bring money and tourism to the area.
Because people are taking drugs
Would need a long list of substances to be included
They so openly drug deal in the streets, it brings bad views to Newport and is not good for children passing
If people wish to use such substances, the city centre is not the place to do so and they should be subject to legal action.
There should be zero tolerance of this behaviour in public but nothing will change if there are no eyes and ears on the ground to enforce.
It's impossible to walk around comfortably
If it can be restricted- yes.
Can cause deterrent to the local community and make citizens feel intimidated
Definitely, the city centre should be a place that feels safe to go into during the day as a family or early evening (cinema/bowling etc.) or as an adult only couple out for meal/drinks.

It is not fair not the public to have to put up with this kind of behaviour. Young families or the elderly should be able to go about the business without having to worry about what their children are witnessing

It causes people to avoid the area

This is such a wide ranging category - what intoxicating substances do you mean? Could apply to anything.

Too many people in the town centre on drugs

I very strongly feel that this should be included. People are openly walking through town smoking a joint, children are breathing it in, it's unacceptable. "Spice Square" (St Paul's Walk) is embarrassing.

I don't witness it because I avoid town when it could happen.

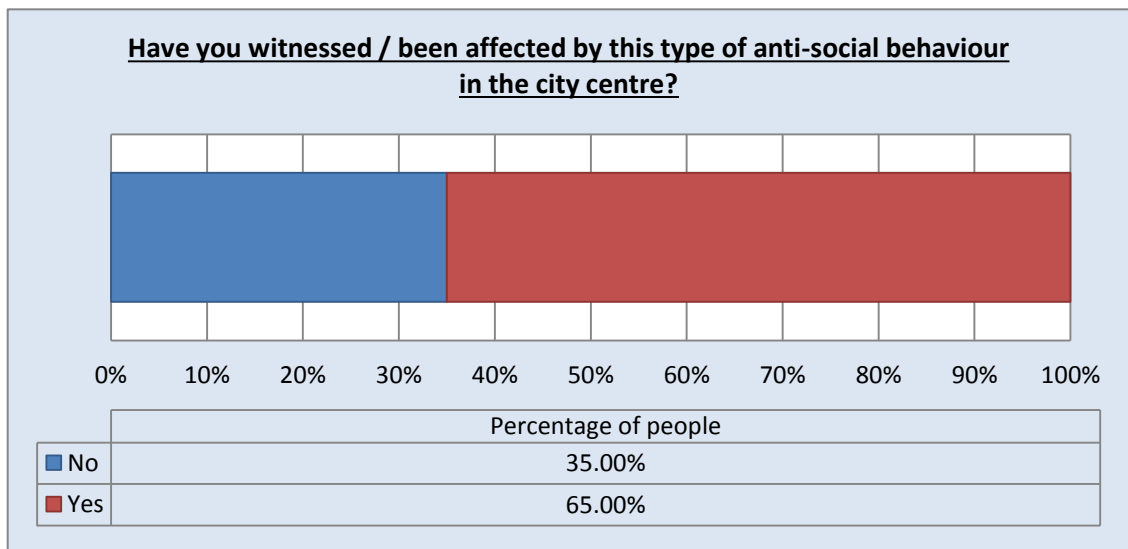
Drugs and alcohol shouldn't be used or sold on the street. Still think the restrictions should avoid simply allowing personnel to take alcohol that is sealed away from people. Only that which is being consumed

I do not want "druggies" in the street taking part on illegal activities in our city centre

New Restrictions: Causing harassment, alarm or distress - Q7a

	Number of people	Percentage of people
No	21	35.00%
Yes	39	65.00%
Total responses	60	

1 No reply



If yes, please give any details including at what times of the day / night: (32 comments received)

Afternoon through to evenings. Issues like groups of teens, often riding bikes. Often being inconsiderate of the general public, bad language, yelling, screaming, riding bikes without being mindful of other people.

Kids under 16 in city centre with adult supervision or guardian.

See previous answers

Afternoon and early evening mainly in High Street and Commercial Street/Westgate Square

Outside McDonald's and in the bus station at various times but especially early evening (from 7pm) seems to be the worst times for this trouble

Working on Commercial Street we often see anti-social behaviour - fighting, shouting, screaming

During the daytime. Would not come in to the city centre at night due to lack of policing/enforcement.
Most days there are people harassed or being shouted at by some addict or small groups lingering outside fast food places (BK ,McDonalds)trying to start fights with passers-by.
The groups of alcoholics I've witnessed them pick pocketing pensioners
Youths in large groups, in the park behind Hill Street and on the high street. Large groups on bikes cycling through Friars Walk.
In the evening, after 4pm, people arguing at each other and using vile language, some fights have broken out
Groups of youths constantly in the NCP. Gangs of youths on bikes wheelieing uncontrollably through pedestrian areas. Large groups of intoxicated people shambling through the streets shouting, swearing, arguing and occasionally fighting
I personally have been threatened in the stairwells of my site and several of my staff has been threatened by known vagrants.
We had a customer that was ordering a funeral order and was getting abuse from youths outside all because they wanted his phone they had previously tried to mug him for it called the police they weren't going to come initially until a member of my staff explained just how bad it was the youths were on bikes which are not allowed in the city centre but nobody enforces it
November 2017 6.30 in the evening myself and my business partner witnessed from our shop City Bites, High Street Newport a large group of teenagers near McDonald's causing a disturbance. Loud threatening gang behaviour, boys riding around on one wheel on their bikes and a teenager who produced a machete from his trousers and chase another lad along the High Street. Large groups are seen every evening outside McDonald's, mainly on bikes, they intimidate passers-by and litter the area, eggs can be seen broken near the market most mornings.
Shouting and loud arguing all the time
Sometimes there are fights between drunk people outside our shop door. Also a female friend of mine was 'exposed' to by a man and she went to the police but they couldn't find him. I feel like this should have been taken more seriously especially because it happened outside the school at the top of the hill near town.
I get abuse on a daily basis from people parking in front of my shop. People parking in a no parking zone which is clear to see, damage being caused to my shop front as vehicles are causing bigger delivery trucks to come closer to my shop front.
Gangs of kids on mountain bikes doing wheelies on pavements
All times of the day and evening
Groups of people in High St, the Riverfront, Bridge St, Westgate Sq in the early evening -say 5 to 9- swearing, shouting, kicking doors, weaving on their bikes, sometimes harassing people.
People who have taken drugs or been drinking hanging around the bottom of Stow Hill, shouting, fighting with each other. Gangs of kids hanging around causing a nuisance. Kids speeding through town on bikes. Gangs of kids hanging around in Chapel Park, fighting, playing loud music, making a lot of noise.
all the time
Groups of males on pushbikes going through the city centre and John Frost Square during the day/evening
A gang of drunks arguing in the middle of commercial street swearing and god knows what in front of children and the elderly
Day jobs without shirts and stripped to the waist walking down the High street swearing and yelling.
Gangs of boys wearing hoodies with masked pulled over their faces harassing vulnerable people on the street. The worst of which included throwing light bulbs at homeless people sleeping rough on the street approx. 21.00

Big and small groups of youths on push bikes driving aggressively, weaving in and out of people on pavements, doing wheelies near to vehicles and pedestrians on High Street/Bridge Street/Skinner Street/Dock Street, Market bus station (youths occasionally driving through queuing bus customers narrowly missing people). Times of day: 1630-1800 hrs weekdays. Youths also stand around in large groups which is intimidating. A colleague reporting that he was slapped on the back whilst walking through a group of youths in the city centre (there was no other way to get past them). I witnessed an elderly gentleman have difficulty walking past a group of youths who had left their push bikes strewn on the pavement at bottom of Skinner Street. I have also had to step over bikes left blocking the pavement along Skinner Street outside the phone shop as well as the bottom of the street. One day I was forced to walk in the roadway to get round them.

The amount of times I have been in the centre in broad daylight with my little daughter and heard foul language being shouted from one end of the town to another. "F****", "c****", you hear it all and it is very unpleasant.

Teenagers often bike or skateboard around the bus station - early evening and weekends. They don't have much care for the safety of others. I have also been the target of harassment by groups of men around the bus station - this is going back some years, but the trauma persists even though I wasn't physically harmed.

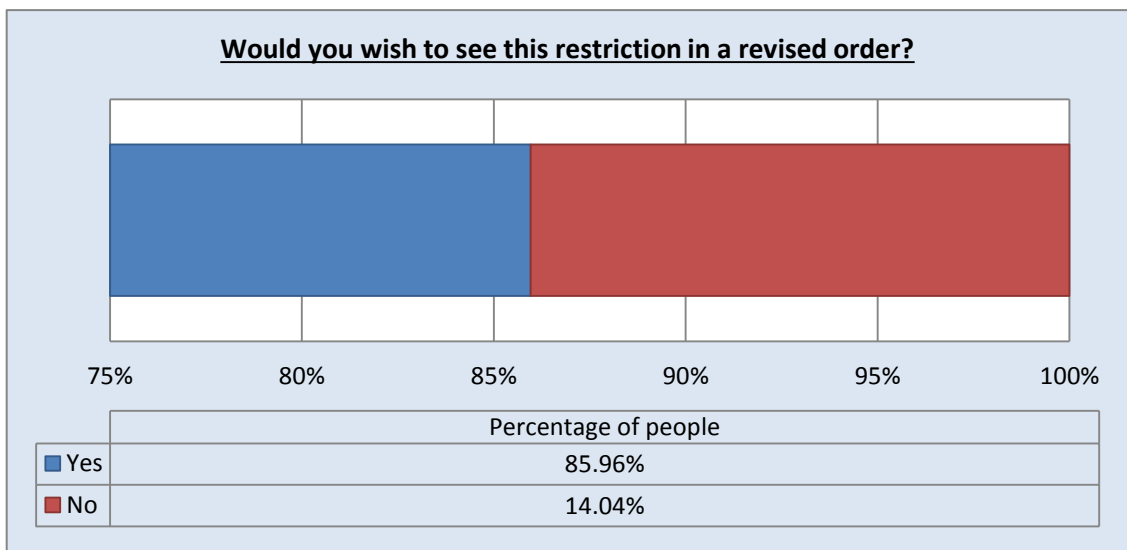
High Street, Skinner Street, Upper Dock Street, areas - witnessed on multiple occasions youths on bicycles acting in anti-social manner and causing harassment to pedestrians, riding in aggressive and anti-social manner. This has happened late afternoon and early evening, and I have personally been subject to this anti-social activity.

Both day and night

New Restrictions: Causing harassment, alarm or distress - Q7b

	Number of people	Percentage of people
Yes	49	85.96%
No	8	14.04%
Total responses	57	

3 No reply



Reasons: (24 comments received)

Safety of child
No - again, there are enough laws in place already to deal with such behaviour should it arise.
It can be intimidating for members of the public whatever age and discourages people to go into the city centre
People should be able to move freely around the city centre without threats or intimidation from groups he'll bent on causing trouble or instilling fear on people.
Something needs to be done as our end of Commercial Street is becoming a 'no go' area due to the anti-social behaviour
To actually deal with it
Groups of kids in 10s biking down the high street at fast speeds almost hitting everyone in their path
Groups should not by their nature be intimidating, but their behaviour may make this the case.
As 6b
Vagrancy is on the rise and they use my site and intimidate customers and the general public.
Families are unable to go into town in the evenings. Businesses are afraid that shop fronts will be damaged. Bullying and anti social behaviour should not be tolerated.
Again creates a hostile atmosphere
as above
It would provide a response that would allow authorised persons to intervene on behalf of the public without having to wait for a police presence. It would support businesses and the public. Any intervention should be recorded for consideration of further action being taken against the perpetrators by council or police anti-social behaviour staff.
The Police need to do more to break these groups up. They can be quite intimidating and put you off coming into the city centre, esp. walking across town to the Riverfront or to Friars Walk.
can causing determent to the local community and make citizens feel intimidated
Because it is not acceptable behaviour and needs to be nipped in the bud now before it gets any worse
They are extremely intimidating
I believe this behaviour will continue to escalate and has the potential to become violent if it is not robustly dealt with. A full time, police foot patrol would be very welcome and help to make the areas safer for the public. I have stopped shopping in Newport city centre because I have personally experienced, and heard reports from many others who have, experienced antisocial behaviour that is growing more and more persistent and aggressive in nature.
Again, this is too wide ranging and could mean that anyone could be fined (or worse) for anything. Surely this is what the police should be doing anyway - why do we need a public protection order??
The image of the town is being dragged down. I am not a conservative person and I do use colourful language but there is a line and it is being crossed.
It's only a matter of time before someone gets hurt.
Need to make the City Centre a safe space where public can enjoy amenities without fear of being harassed.

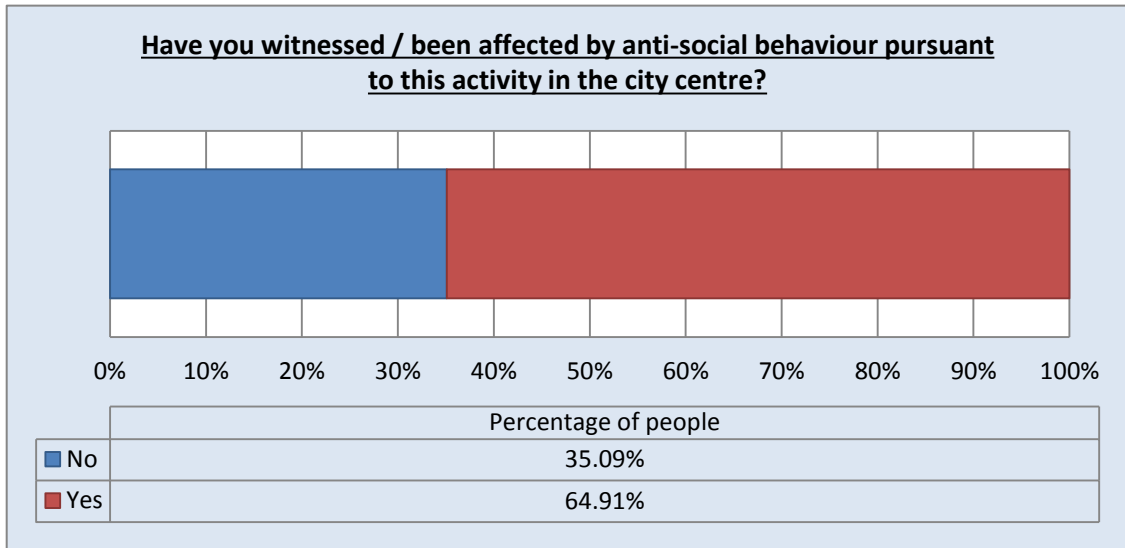
Can be intimidating behaviour. However policing should be within sttct guidelines....not just a power to move people on who are not actually behaving in a way that causes distress. Too often police and asb teams are using power to own adantage. Need to be putting more services in for people to engage with instead of hanging round streets.

I take steps to avoid people like this who look likely to cause a nuisance.

Revisions: Touting for services / donations - Q8a

	Number of people	Percentage of people
No	20	35.09%
Yes	37	64.91%
Total responses	57	

4 No reply



If yes, please give any details including at what times of the day / night: (18 comments received)

Annoying from 9am to 5pm, outside WH Smith and usually outside Nationwide.

Day time

Commercial Street - daily

Daytime

EVERYWHERE DAY AND NIGHT. Opportunist beggars making it difficult to tell who is homeless and in need of help and who is swindling your money.

During the day

There are persons there daily.

early morning before 9am and then any time up until 7pm

Charity collection in our shop

On a regular basis someone selling AA, SKY, collecting for one charity or another, also there is someone regularly singing at quite a loud volume collecting for something, I have to close our doors as the volume is that loud, I cannot hear the music we play and PAY a licence for.

Sometimes there are quite a few in Commercial St. I do wonder whether they should be there.

Continuously approached as you walk through the town by sales people, charity collectors. Street vendors don't usually approach anyone to be fair but some sort of permit to ensure the goods they are

selling are safe/legal would be a good thing

On a daily basis constant 'Have you had an accident' or charity collections for different charities and while these are worthy causes it's still to many also a lot of religious people trying to talk to you and I also feel even though the big issue is not included it should be due to the fact that there are too many within the town centre and believe it or not I've seen them with a better mobile phone than me

I'm not sure if this counts but I feel that loud religious preaching informing passers-by that they are going to hell etc is not conducive to a pleasant city centre atmosphere. I would include all faiths and denominations as I am non-religious and generally believe in a multicultural society.

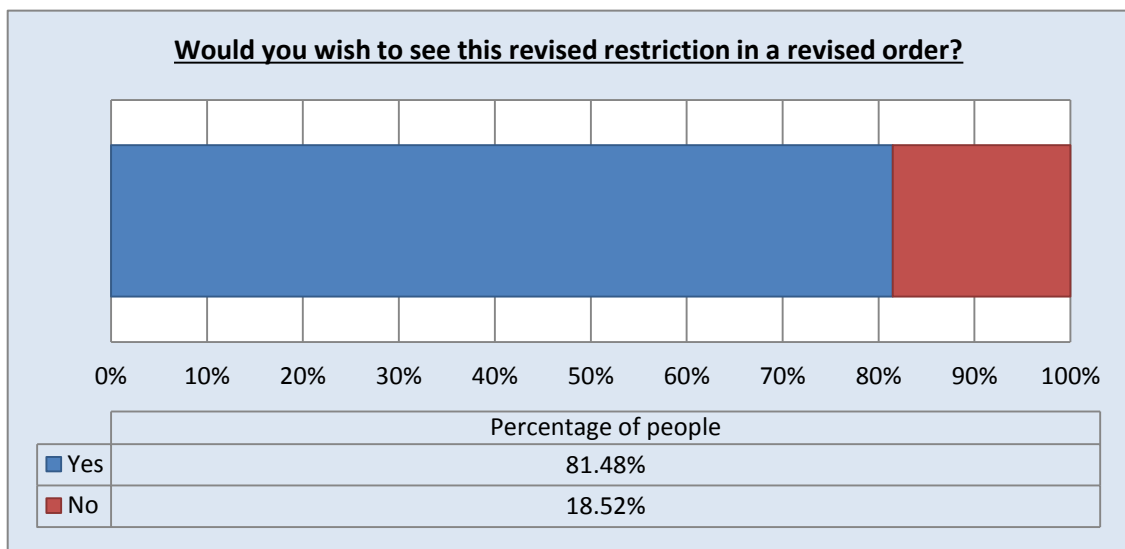
I suspect those touting for accident victims have a licence - they're still anti-social and there are there all the time.

Daytime. Often followed up the main street by sellers.

Revisions: Touting for services / donations - Q8b

	Number of people	Percentage of people
Yes	44	81.48%
No	10	18.52%
Total responses	54	

6 No reply



Reasons: (15 comments received)

I would like this enforced. I have broadband, I don't want to give my bank details to anyone on the street.

I believe the amount of people touting for services and donations in the short stretch of Commercial Street discourages people from attending the area as the same people are there on a daily basis

To actually deal with it.

Aggressive beggars intimidate people into giving them money.

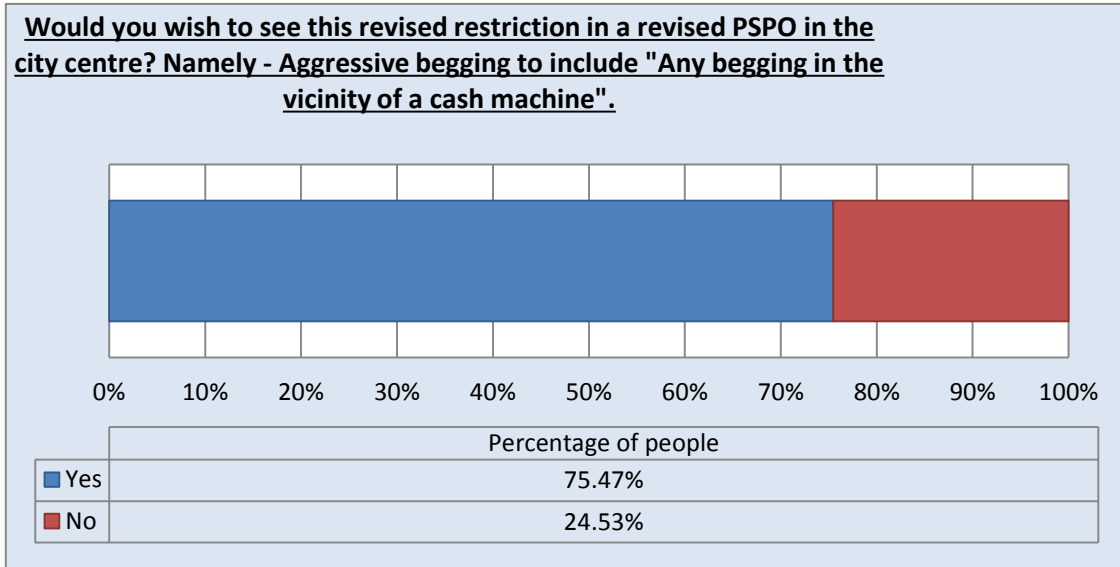
Yes and I'd like to see it enforced with clearly identifiable certification or a genuine charity or sellers

permit.
As included earlier in the survey
If they don't have a permit they should not be there.
Makes me feel uncomfortable and has prevented me from going into the city centre
Because they are a nuisance constant bombardment of asking for things
I think it is important to keep this restriction to help prevent fraudulent activities, trip hazards on the highway from unauthorised tents, podiums and other similar items, and nuisance to the public.
I do not know what the process/cost is to gain a street trading consent from the council so I have to say no to this.
Religious preaching.
The worst offenders are those who have a license. No point adding a restriction that excludes them - take their licences away!
Annoying activity...worse than begging

Revisions: Aggressive Begging - Q9a

	Number of people	Percentage of people
Yes	40	75.47%
No	13	24.53%
Total responses	53	

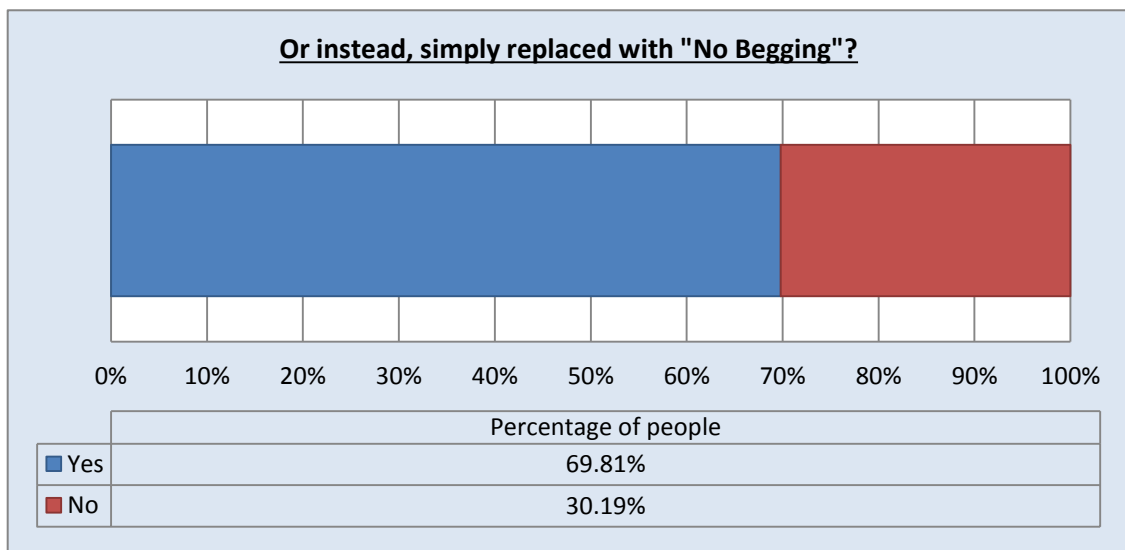
7 No reply



Revisions: Aggressive Begging - Q9b

	Number of people	Percentage of people
Yes	37	69.81%
No	16	30.19%
Total responses	53	

8 No reply



Reasons: (21 comments received)

As previously stated, a definition of "aggressive" is needed. I agree that there should not be begging next to cash machines, in the interest of personal space and safety (as with any other member of the public) I totally disagree with "No begging". It just further victimises vulnerable people.

As before, begging is not a huge problem in the city centre and does not require such ridiculous measures. The PSPO is contributing to a poorly deserved reputation for Newport.

I feel intimidated every time I am asked, walking on my own, I know I will probably see them on my way home and for the days ahead and have been shouted at, sworn at and threatened.

No begging would be the ideal situation although I believe this would be very hard to police so the next best thing would be to change aggressive begging to include no begging near cash machine. Again this can be intimidating especially at the bottom of Bridge Street next to Nat West and HSBC.

I understand the need to beg and this is a problem in every city at the moment not just Newport. What I object to is people approaching me for money. It would also be nice to walk through town without 30 people asking you for cash.

Begging is becoming an issue everywhere in town - not just cash machines. You can't walk anywhere without someone asking for money. The one person asking followed me to my place of work still asking for money

There should be support for homeless from working with Eden and Salvation army but arrests should be made if they are aggressive or not homeless.

Yes no begging is needed they play on the elderly

By giving to beggars we are only perpetuating the issue, so I would prefer it was prohibited until recourse is found to overcome the reasons for the begging in the first instance.

Although it's more worrying near a cash machine, there should be no begging anywhere.

The car park on stow hill almost always has homeless outside begging right next to the car park payment machines. For this reason I pay by phone even though it costs more just to avoid them.

Safety for all including visitors

It's true they congregate by the cash machines but a No Begging outright ban will be better for people visiting the city

No begging should be the response however the alternative should not just include in the vicinity cash machines. It should also include payment machines such as those around car parks as well as bus stops, taxi ranks and all public places where persons need to use money to make a payment for goods or services.

There are too many, esp. in the evening. Let's encourage people to give to charities that support these people directly.

They even sit in the car park at the pay and display machine begging

Please don't think I'm being hard on them and yes some of genuine homeless need help but every corner in the city centre are beggars near banks, coffee shops etc. In some cases when I've refused to give anything I called a tight cow. What also annoys me is that they are sat eating drinking and smoking

No begging of any kind would be better as although it is heart-breaking to see, it is too difficult to know which are legitimate and which are 'career beggars'. It is also a major concern from an animal welfare point of view as some beggars use dogs to gain sympathy/attention from the public but it is uncertain whether these animals are being looked after properly and should be checked by RSPCA or animal welfare officers.

I think 'no begging' is too simplistic. If someone literally needs a few pounds because they are weak with hunger I think it is legitimate for them to quietly and politely, from a fixed resting position, ask passers-by. I do not think it is acceptable to be at a cash machine and to be approached by someone asking for the money I have just withdrawn.

I'll admit to feeling intimidated by someone lurking around a cash machine; while I know they mostly mean no harm I've become paranoid. But it doesn't benefit anyone to criminalise all begging - no one chooses to be destitute and making them criminals will worsen the problem, not help - when people are

punished for being desperate, they become more so. Let's please treat these people with some basic humanity.

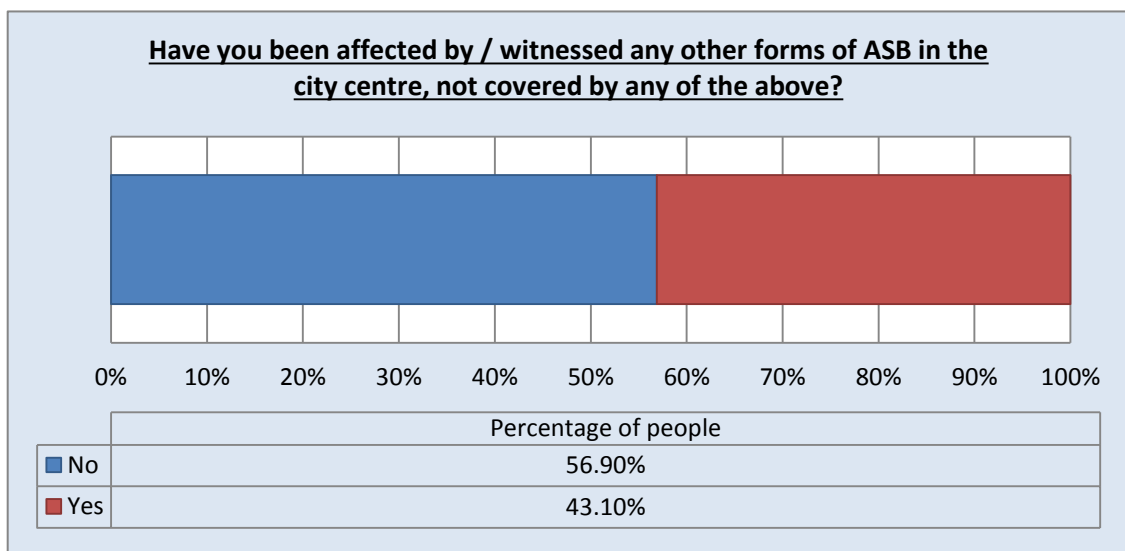
Only aggressive begging is intimidating. Those sitting quietly with a receptacle for collecting are not bothering anyone. Also rough sleepers sit in shop doorways etc. when they have nowhere to go. They could be arrested or penalised for simply sitting and not begging.

They are not good for our community or for the amenities in our area.

Other Forms of Anti-Social Behaviour in the City Centre - Q10

	Number of people	Percentage of people
No	33	56.90%
Yes	25	43.10%
Total responses	58	

3 No reply



If yes, please give any details including at what times of the day / night: (25 comments received)

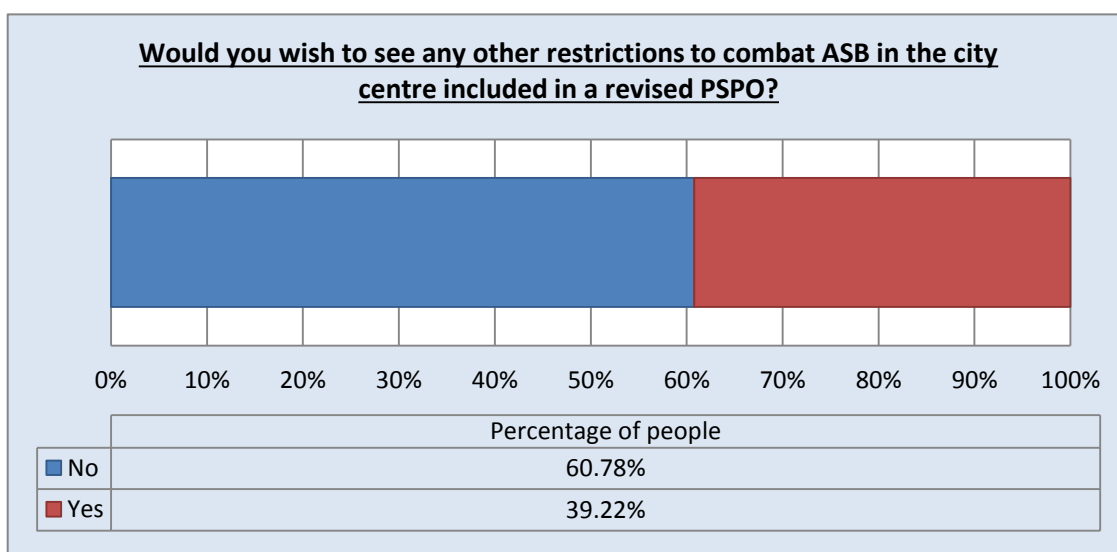
Drug running from taxi companies in bus stations
Day time and evening. groups of young male cyclists. Intimidation and theft.
Youngsters on bikes in groups. I thought that the riding of a push bike through the city centre was banned by a previous order but this doesn't seem to work.
Cyclists still seem to be a problem riding in pedestrian areas at high speeds.
Kids on bikes doing wheelies and generally being a nuisance. They are often openly racist towards the security guys in Friars Walk. These kids are some of the biggest issues
Gangs cycling through pedestrian areas, abusive language and behaviour.
People being hit over by kids with bikes, bins being turned upside down with litter all over the floors. Constant shoplifters. Racist comments/ verbal assault of tourists/ shoppers.
Regularly see the alcoholics defecating in the park area (St Paul's Walk) opposite St Paul's church and the bus stop being sick- they drink when it's raining, the other day the girl had her trousers by her ankles sat on the bench. I dread to think what her boyfriend was doing
Shouting at others across the high street and neighbouring areas.
Vehicles using access-only roads

Mostly drugs and alcohol
Gangs of youths speeding on pedal bikes along High Street. Ant-social behaviour outside McDonalds on High Street
You tend to find that at evening time vagrants and groups of youths gravitate towards my MSCP and it becomes quite intimidating for my team.
As explained earlier there are too many incidence to list
Road rage, arguments in shops.
Groups of persons, young and old congregating on public seating and acting in a manner that is intimidating to other users of the city centre.
Setting off fireworks at night - particularly outside the Baneswell Social club and Chapel Park.
Late afternoon, early evening kids and kids on bikes
The general shouting of foul language by individuals shouting/swearing in the street when under the influence makes the city centre feel unwelcoming at times, especially when I have brought my elderly parent into the city centre during the day
People riding bikes, skate boarding, spitting
Smoking in public outside of shops etc. it's hold your breath and race passed to avoid the stink and horror of breathing in others waste stinking exhaled vapours
A few of my friends have recently complained about young boys riding bikes in an aggressive manner. This can be very intimidating to pedestrians.
Cyclists using pavements which makes it dangerous for pedestrians. I have had near misses with cyclists coming up from behind me along Bridge Street whilst I was walking down towards the city centre. They do not use bells or any other signalling methods to let you know, and if cycling towards you will not make any attempt to give way to pedestrians instead expecting them to jump out of the way.
Motorbikes and bicycles being ridden across the Millennium Footbridge, in aggressive, reckless and anti-social manner endangering safety of pedestrians and causing harassment.

Other Forms of Anti-Social Behaviour in the City Centre - Q11

	Number of people	Percentage of people
No	31	60.78%
Yes	20	39.22%
Total responses	51	

10 No reply



If yes, please give any details: (19 comments received)

There are too many people wandering around town at all hours for no valid reason harassing people going about their business
Use of taxi areas for drug hang outs
Restrict group sizes which can congregate outside of programmed and organised / planned events.
The dropping of litter and dog fouling in the city centre should be policed and fines issued for offenders.
Curfew for under 16s after 10pm? More police or public support officers patrolling down the high street.
Performers, one outside of old BHS sings the same song all day very loudly, people working around the areas should have a say as sometimes they're too loud to even think whilst working and sometimes their song choice such as really sad and slow ones affects the mood of the workers and therefore their work is also affected. The guy usually by Timpson is brilliant, always happy and cheery, recently seen by pound world by the statues; he puts a smile on the workers and visitors faces.
More visible presence of wardens/law enforcement in the City Centre. On the spot fines for littering. Proper enforcement of ticketing illegal parking in restricted areas.
Section 35 should be used and enforced.
No begging in car parks or by car park paying machines
Ban gangs of young bikers from city centre at night
More assistance if something happens
Affray
Higher profile policing
No cycling through the pedestrian area and no vehicles
make it a crime
Prohibit the riding of bikes in the city centre. We do need more community policemen around, to stop this behaviour.
I feel cycling should be banned in the city centre and enforced with fines or other penalties. Whilst there are some decent people who cycle through town, the majority are youths on push bikes who have no regard for public safety.
Kids on bikes riding in town centre
Cyclists to dismount from bicycle in pedestrian areas. More signage and proactive actions to promote / enforce this

Reasons: (8 comments received)

If you are in city centre every day there are countless situations that involve anti social behaviour and Newport is by far the worst city for anything like this I have ever witnessed. We need more support in the centre / high street and further near the train station. You can hardly walk 50 metres without being asked for change, some drunk shouting to his mate or just groups of teenagers loitering around fast food places.
If you do see something and you wish to report it, there is no-one on the spot to turn to. You are afraid to say anything yourself for fear of reprisals.
Intimidating to elderly
Safety
Very difficult when you are walking through the street with a small child and shopping bags and males (young and mature) are going through the street at quite a speed on pushbikes and then cars start driving through the pedestrian area - totally unsafe!!

health and a clean environment

It's very dangerous.

Public safety, safe pedestrian areas, remove antisocial activity of gangs on bikes riding recklessly in close proximity to pedestrians.

Any other comments - Q12

If yes, please give any details: (16 comments received)

I would like to see figures and evidence of how the current PSPO has helped the city centre and those using it. Until these are shared people cannot be expected to make sensible comments. Unfortunately there has been a lot of drama and hysteria concerning this issue. As someone who uses the city centre a few times each week I have never been subject to aggression or intimidation. This - and the other PSPOs - does not help Newport's reputation, evidence please of their effectiveness.

I do want provisions made for the growing homeless population, food, shelter and access to support for their other needs but I would like to walk to work and socialise in the city without the Regular beggars and trouble makers asking/demanding money or cigarettes.

Thank you

Council and police are doing a good job

Community officers, the people in the blue jackets aren't very strict, they seem to have made friends with the repeat offenders and go lightly on them when they're walking around with cans. Also you don't see much security on the end of Commercial street, Poundworld and H Samuel way.

Despite restrictions already being in place, all these issues are still prevalent. Rather than investing in more restriction I'd rather see more enforcement and understanding/development to reduce the socioeconomic factors that have been perpetuating the behaviour.

Newport City Centre has much improved and trying to combat ASB is admirable. However, unless the staff are employed to enforce regulations and ASB, then no amount of PSPOs will make any difference.

The police need to be in town and issue section 35s.

I do not see any need for a PSPO at all. The police have enough powers already. They have said parts of the current PSPO are ineffective and I think they will be saying exactly the same thing when it is next due for review so why is one needed. Cardiff has exactly the same problems, probably more so, but doesn't have a PSPO. Just having a PSPO leads to a negative image of our city.

Generally there is a lot of anti-social behaviour in Newport centre, including fights outside our shop in the day time and people around intoxicated by drink or drugs.

Patrol bus station at night and pcso spend less time hiding in senn bakery in Maindee and spend more time patrolling streets saw man urinating in Maindee car park during day and Maindee PCSOs were hiding in the senn bakery across road good use of tax payers money

Review needed now City starting to improve

I understand the council needs to save money but for me as a shop owner on Charles street since the bollards have stopped working the amount of cars breaking the law parking after the sign has been moved by them. Also my customers walk straight out onto road, thinking it's safe to do so only to have a car driving towards them.

The Order is only as good as it is policed.

There needs to be more policing within the town centre to combat these problem ASAP

A big thank you to council colleagues, wardens and local police teams who are already working hard to provide support to the city centre with limited resources.

They need to take responsibility. There are laws in place.

Profile

How often do you visit the city centre?

		At least once a week	At least once a month	Never	No Reply	Total Responses
During the day	Number of people	47	5	0	8	53
	Percentage of people	88.68%	9.43%	0.00%		
After dark	Number of people	23	16	3	13	48
	Percentage of people	47.92%	33.33%	6.25%		

Age	Number of people	Percentage of people
0-10 years old	0	0.00%
11-17 years old	0	0.00%
18-24 years old	2	3.64%
25-34 years old	7	12.73%
35-44 years old	15	27.27%
45-54 years old	19	34.55%
55-64 years old	8	14.55%
65-74 years old	2	3.64%
75 years or older	2	3.64%
Total responses	55	

Gender	Number of people	Percentage of people
Male	26	48.15%
Female	28	51.85%
Prefer not to say	0	0.00%
Total responses	54	

Ward of residence	Number of people	Percentage of people
Allt-Yr-Yn	5	9.26%
Alway	1	1.85%
Beechwood	2	3.70%
Bettws	1	1.85%
Caerleon	2	3.70%

Ward of residence	Number of people	Percentage of people
Gaer	4	7.41%
Graig	0	0.00%
Langstone	1	1.85%
Llanwern	0	0.00%
Lliswerry	1	1.85%
Malpas	3	5.56%
Marshfield	0	0.00%
Pillgwenlly	3	5.56%
Ringland	1	1.85%
Rogerstone	3	5.56%
Shaftesbury (Crindau)	1	1.85%
St Julians	6	11.11%
Stow Hill	6	11.11%
Tredegar Park (Duffryn)	0	0.00%
Victoria (Maindee)	2	3.70%
Live outside of Newport	12	22.22%
Total	54	

Ethnicity	Number of people	Percentage of people
White - Welsh / English / Scottish / N Irish / British	53	96.36%
White Irish	0	0.00%
White - Gypsy or Irish Traveller	0	0.00%
Any other white background	1	1.82%
White and Black Caribbean	0	0.00%
White and Black African	0	0.00%
White and Asian	0	0.00%
Any other mixed / multiple ethnic background	0	0.00%
Indian	0	0.00%
Pakistani	0	0.00%
Bangladesh	0	0.00%
Chinese	0	0.00%
Any other Asian background	0	0.00%
Black / African / Caribbean / Black British	1	1.82%
	55	Total Responses

Appendix D

Fairness and Equalities Impact Assessment (FEIA)

Version 3.6 May 2017

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with equalities (Equalities Act 2010), Welsh language promotion (The Welsh Language (Wales) Measure 2011), sustainable development (Wellbeing of Future Generations (Wales) Act 2015), and the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

Completed by: Jonathan Keen **Role:** Manager

Head of Service: Gareth Price **Date:** 11/06/2018

I confirm that the above Head of Service has agreed the content of this assessment

Yes

When you complete this FEIA, it is your responsibility to submit it to

impact.assessment@newport.gov.uk

1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.

Review of the current City Centre Public Spaces Protection Order (PSPO) (Anti-Social Behaviour, Crime and Policing Act 2014) to ensure that the restrictions in the Order address the anti-social behaviour currently being experienced in Newport City Centre.

This review is supported by Gwent Police who feel that revised restrictions will improve their ability to deal with the anti-social behaviour being experienced by members of the public.

The Order provides enforcement officers with additional powers than those provided by existing legislation, as Fixed Penalty Notices can be issued for non-compliance with a PSPO restriction.

2. Outline how you have/ will involve stakeholders who will be affected by the policy/proposal

This review has been led by the Overview & Management Scrutiny Committee. At its meeting of 8 January 2018, the Scrutiny Committee considered the issues and agreed for public consultation to commence to seek views on experiences of the city centre, views on review the current restrictions, possible amendments to them and views on possible new measures to be included in a revised PSPO.

The consultation conducted is set out in the table below:

Consultee	Medium
COUNCIL:	Email sent requesting views by use of the online consultation questionnaire
Streetscene	
Legal Services	
Planning/ Regeneration	
Environmental Health	
Licensing	
Trading Standards	
Community Safety- CCTV/Community Safety Wardens/Anti-Social Behaviour Liaison Officers	
One Newport Public Services Board	
Strategic Director -Place	
CM - Licensing & Regulation CM - Regeneration & Housing CM - Streetscene Chair of Licensing Committee Ward Cllrs/ All Cllrs Scrutiny	
Press team	
OTHER AGENCIES:	
Gwent Police- Licensing and city centre team, Police and Crime Commissioner	Email
South Wales Fire & Rescue Service	Email
Health Board	Email
BUSINESSES:	
Pubs and clubs	Attended Pub watch 7 February/Flier to all pubs/clubs
Business Improvement District Business Crime Reduction Group	Meeting with the BID Manager/ email & flier disseminated to all BID members
Taxi trade	Email to all Operators/Taxi reps
THE PUBLIC:	
Residents in the affected area	Press release/ Stow Hill Ward Cllrs. Attended Stow Hill Ward meeting 8 February
The public in general	Press release Twitter/ Facebook Web site (with a questionnaire allowing the public to tell us of the ASB they have been affected by and therefore what restrictions they would like to see in a PCPO).
Youth Council	5 responses included in collated questionnaire results

3. What information/evidence do you have on stakeholders? e.g. views, needs, service usage etc. Please include all the evidence you consider relevant.

For the 8 January 2018 Scrutiny Committee meeting, the report contained details of compliance with the current PSPO restrictions including data from the Police and the Council’s Community Safety Warden Service, along with observations on each restriction i.e. whether the specific anti-social behaviour was still a problem and issues with the wording of “aggressive” etc. begging measure. The report also highlighted other forms of anti-social behaviour that were now occurring in the city centre that could be reduced with restrictions in a revised Order.

The results of the public consultation have been summarised and included as Appendix C to the report to Council, of which this FEIA forms Appendix D.

At the meeting on 26 April 2018 the Scrutiny Committee also heard from Council officers (Regulatory Services, Youth Services, Housing Needs), Gwent Police (City Centre Inspector), Newport Business Improvement District and also from The Wallich Homeless Charity.





4. Equalities and Welsh language impact


Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Age	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Positive: The proposed restrictions are designed to reduce ASB in the immediate area, which would promote community cohesion and increase footfall in the city centre.</p> <p>Reducing ASB in the area should also help to ensure that the area is a safer place for young people to interact, as well as ensure the environment is safer for all age groups.</p> <p>Negative: The proposals are designed to provide the Police with additional powers to disperse individuals and groups who are causing ASB, from the area. This is likely to impact on people in the 10 – 24 years and the 25 – 34 years census categories more than other age categories.</p>
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
				should help to ensure that groups of all protected characteristics feel more confident in using the space.
Gender reassignment/ transgender	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.
Marriage or civil partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.
Pregnancy or maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.
Religion or Belief or non-belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.
Sex/ Gender Identity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Within the evidence provided by Gwent Police and the Council's Community Safety team, where the sex of the youths causing problems is mentioned, the sex is 'male' in the majority of incidents. Therefore the proposals would have an impact on male individuals.

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposals will not have an impact on this issue.

5 How has your proposal embedded and prioritised the sustainable development principle in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term needs</p>	<p>The maximum duration of a Public Spaces Protection Order is 3 years but it could be renewed if appropriate. The aim of the proposals is to reduce ASB in the area and it is hoped that this would have a long term benefit to the community.</p>
 <p>Collaboration</p> <p>Working together to deliver objectives</p>	<p>Only the Council can make a Public Spaces Protection Order, however it would provide the Police with additional/alternative powers with which to address ASB in the area. The Community Safety team will continue to work together with the Police and other agencies/partners to address ASB. The Police support the proposals.</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>The review of the City Centre Public Spaces Protection Order has been led by Scrutiny and the public consultation undertaken was designed to be wide-ranging</p>
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>A Public Spaces Protection Order cannot address the roots causes of why some individuals cause ASB in this area, but partners within the Public Services Board work closely together to ensure that resources are used to address such causes where possible. The Wellbeing Plan has now been published and a series of Intervention Boards and other groups will shortly be set up to focus on the priorities in the plan and wider partnership work, including community safety.</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>The proposal is to put in place a revised Public Spaces Protection Order (PSPO) which has been designed to have a positive impact on the following Well-being goals:</p> <p>Well-being Goals</p> <ul style="list-style-type: none"> • A prosperous Wales – the PSPO would reduce ASB in the area. ASB can impact on the education of children and on the success of businesses. • A healthier Wales – the PSPO would reduce ASB which would help improve the mental well-being of those currently affected. • A Wales of cohesive communities – the PSPO would help to protect the local community and make it more viable and safe. <p>The information included above shows that there would be a positive impact on Newport City Council’s Well-being Goals, as set out below:</p> <ul style="list-style-type: none"> • To improve skills, educational outcomes and employment opportunities • To promote economic growth and regeneration whilst protecting the environment • To enable people to be healthy, independent and resilient • To build cohesive and sustainable communities

6 Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?

The proposal is designed to impact on the city centre – Stow Hill Electoral Ward – which is appropriate due to the specific nature of the area and the specific ASB being experienced.

7 How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission

Parameter 1 deals with equal treatment whilst recognising difference. The proposal will primarily impact on specific groups and individuals who are acting in an anti-social and intimidating manner and they will intentionally be subject to the PSPO restrictions.

Parameter 2 deals with “mutual obligations between citizens and local government”. Local Government’s responsibility is to help ensure the safety, security and wellbeing of citizens in their communities, the PSPO introduces conditions which will apply to citizens who act in a way that is detrimental to the safety and wellbeing of the wider community which restricts those citizen’s rights in the specified area.

Parameter 3 deals with “interdependency and reciprocity within community relations”. Anti-social

and intimidating behaviour is known to affect the wellbeing of individuals but also affects the functioning and cohesiveness of communities e.g. in the use of local services, and participation in community life. The intention of the PSPO is to only restrict activities that are detrimental to participation in community life.

Parameter 4 deals with “transparency and accountability in decision making”. It is recognised that PSPO’s are by nature restrictive and must be balanced with proportionality, effective targeting and limitation. The consultation undertaken was conducted to ensure that the local community could express their views on the proposals and inform democratic decision making.

8 Taking this assessment as a whole, what could be done to mitigate any negative impacts of your policy and better contribute to positive impacts?

Should the revised PSPO restrictions be supported by Council, high quality publicity, provision of advice and proportionate enforcement will be key to mitigating any negative impacts.

9 Monitoring, evaluating and reviewing

The Overview Scrutiny & Management Committee have discussed the need to ensure the ongoing monitoring of the implementation of the PSPO within the city centre. The Committee agreed at its meeting on 26 April 2018 to include a review and monitoring of the implementation of the City Centre PSPO on the Scrutiny Work Programme 12 months after a revised Order is made.

10 Involvement

This FEIA will form part of the report to Full Council and will be published by the Council.

11 Summary of Impact (for inclusion in any report)

Equality Act 2010 AND Welsh Language

The proposed PSPO will have an impact on some protected characteristics but not to the extent that the proposals could be judged to be unreasonable.

There is no Welsh Language impact.

Wellbeing of Future Generations (Wales) Act 2015

The proposed PSPO will support a number of the Well-being goals set out in the Act.



Report

Council

Part 1

Date: 24 July 2018

Subject **National Non-Domestic Rates: Discretionary Relief: High Street Relief Scheme 2018-19**

Purpose The purpose is for Council to resolve to adopt the Welsh Government's High Street Relief Scheme for 2018-19.

Author Head of Finance

Ward All

Summary The Welsh Government has again made available grant funding for billing authorities to deliver in 2018-19 the High Street Rate Relief Scheme to reduce the rate burden on qualifying high street retail properties. The funding for 2018-19 amounts to a maximum of £139,250 and a number of businesses are expected to benefit from reduced rates by way of this Relief.

The scheme more or less replicates the scheme that was introduced in 2017-18; the only difference being that the amount of relief available to businesses is lower.

The qualifying ratepayers will fall into two categories, tier 1 who will receive up to £250, and tier 2 where up to £750 will be awarded per qualifying property.

It is estimated that around 350 ratepayers across the city could potentially benefit from reduced rate bills under this scheme.

Proposal It is proposed that the Council resolves to adopt the Welsh Government's Wales Retail Relief Scheme for 2018-19 by making the appropriate determination and decision, as required by Sections 47(1)(a) and 47(3) respectively of the Local Government Finance Act 1988, and set out in the Appendix to this report.

Action by Head of Finance to implement the Scheme and make discretionary awards using delegated powers.

Timetable Immediate

This report was prepared after consultation with:

- Head of Law & Regulation
- Head of People & Business Change
- Head of Regeneration, Investment & Housing

Background

The Welsh Government made available funding to billing authorities deliver in 2017-18 the High Street Rate Relief Scheme, the scheme was intended to last for one year. In March 2018 the Welsh Government announced the intention to extend the scheme for a further year however the actual details of the scheme were not received until the end of April 2018.

The Council's allocation of funding amounts to a maximum of £139,250. The Scheme more or less mirrors the scheme for 2017-18 and again sets out the various categories of retail premises that will benefit from relief. These are detailed in the Appendix, but broadly the premises included are those that have a rateable value of £50,000 or less; are occupied; and are wholly or mainly used as shops, restaurants, cafes and drinking establishments. (These categories are intended to cover premises that are being used for the sale of goods and/or services, or food and/or drink, to visiting members of the public). In addition the premises must be situated in a high street setting or similar and precludes retail properties situated in out of town developments or industrial estates.

The only real difference between the scheme in 2017-18 and the 2018-19 scheme is that the amount of relief available to business has reduced from £500 to £250 for those in tier 1, and £1500 to £750 for tier 2 qualifying properties.

The means of making the awards of High Street Rate relief is the Council's discretionary powers under section 47 of the Local Government Finance Act 1988. The Council is required to make a formal determination (Section 47(1)(a)) and decision (Section 47(3)) to adopt the scheme so that this discretionary power may be exercised by the Head of Finance under delegated powers. The Council is reimbursed for the rates income foregone as a result of the Scheme when calculating monies to be paid over to the Welsh Government 'pool'.

The Wales High Street Rate Relief Scheme forms part of a package of Welsh Government measures available to support business. The High Street relief scheme for 2018-19 sits alongside other schemes, such as the Small Business Rates Relief Scheme and the Transitional Rate Relief scheme that is reducing the impact of the 2017 revaluation for some adversely affected businesses.

The application process for ratepayers is straightforward and in many cases can be awarded automatically. Due to the fact that details of the extension of the High Street Relief Scheme were not received until the end of April 2018 and the requirement for the scheme to be adopted by Council it was not possible to show the relief on the 2018-19 rate bills.

If Council resolves to adopt the scheme the rates bills of around 250 businesses will be recalculated and adjustment notices sent. The remaining potential qualifiers will be issued with an application form so that a determination on whether they meet the criteria of the scheme can be made and adjustment notices sent thereafter.

Although this scheme is new and therefore not planned in the work of the Section there are no staffing implications within Finance as it is anticipated that the work can be handled within existing resources.

Financial Summary

There are no direct financial implications to the Council in adopting the scheme. The full value of discretionary awards is reimbursed by the Welsh Government, along with a small administration grant to cover expenses such as printing and postages for the application and billing procedures.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Failure to implement the scheme will result in Newport ratepayers being financially disadvantaged	H	L	Adoption of the scheme will allow relief awards to be made and rate bills reduced.	Head of Finance

Links to Council Policies and Priorities

The adoption of the schemes fits with the Council's aims to improve the local economy, and the well-being of its citizens

Options Available and considered

- Adopt the Wales High Street Relief Scheme
- Decide not to adopt the Scheme

Preferred Option and Why

Adopt the Scheme so that as many retailers as possible may benefit from reduced Rates bills.

Comments of Chief Financial Officer

There are no direct financial implications as the cost of the relief scheme is funded by Welsh Government and is expected to be sufficient to cover the level of applications that we will receive. The administration of the scheme is also covered within the grant, therefore there is no budget impact of this report.

Comments of Monitoring Officer

The proposed scheme is in accordance with the Council's statutory powers to grant discretionary rate relief under section 47 of the Local Government Finance Act 1988 ("the 1988 Act"). In order to adopt the scheme, full Council is required to make a formal determination under Section 47(1) (a) of the 1988 Act and formal decision under Section 47(3). The power to award discretionary rate relief in accordance with the scheme is then delegated to the Head of Finance under the officer scheme of delegation. The proposed scheme for 18/19 is identical to the previous year's scheme, with the exception that the amount of rate relief available for both tier 1 and tier 2 businesses is reduced by half. The

Council is reimbursed by Welsh Government for the total amount of business rates income foregone as a result of the discretionary rate relief awarded under the scheme, through the calculation of the pooled NNDR income.

Comments of Head of People and Business Change

The report notes that although this scheme is new and therefore not planned in the work of the Section, there are no staffing implications within Finance as it is anticipated that the work can be handled within existing resources

Adoption of the Welsh Government's High Street Relief Scheme for 2017-18 is in line the Council's Well-being Objective to "Promote economic growth and regeneration whilst protecting the environment" and help support the "Newport Offer" intervention within Newport's Well-being Plan.

Comments of Cabinet Member

The Cabinet Member for Community and Resources has approved this report for consideration by Council.

Local issues

None

Scrutiny Committees

N/a

Equalities Impact Assessment and the Equalities Act 2010

Once adopted, the Council is obliged to comply with the Welsh Government's rules in applying the Scheme. These are detailed in the Appendix.

Children and Families (Wales) Measure

n/a

Wellbeing of Future Generations (Wales) Act 2015

N/a

Crime and Disorder Act 1998

n/a

Consultation

n/a

Background Papers

The Welsh Government's Guidance on the 2018-19 Scheme is available here:

<https://gov.wales/docs/ds/jlg/publications/localgov/180411-non-ndr-high-street-rates-relief-en.pdf>

Dated: 02 July 2018

APPENDIX

Resolution

- (a) The Council determines that, unless hereditaments are excepted under (b) below, Section 47(1)(a) (discretionary relief) of the Local Government Finance Act 1988 will apply as regards the hereditaments described in 'The Scheme' in accordance with the rules described in relation to those hereditaments.

It is reasonable for the Council to make this decision having regard to the interests of persons liable to pay council tax set by the Council.

- (b) Relief is not available under this resolution in respect of any hereditament which is occupied by -
- the Welsh Ministers, a Minister of the Crown or government department,
 - any public authority (including any local authority),
 - the holder of any public office, or
 - the Crown
- (c) The Council decides, under Section 47(3) of the Local Government Finance Act 1988, that during the billing year 2018-19 'The Scheme' shall apply to the hereditaments described, and that the Head of Finance use his delegated powers to apply the relief.

The Scheme to be Adopted

Introduction

The relief is intended to be a temporary measure for 2018-19 only, aimed at high street retailers in Wales, for example shops, pubs, restaurants and cafes – including those retailers which have seen their rates increase as a result of the 2017 revaluation undertaken by the Valuation Office Agency.

The Welsh Government will provide two tiers of non-domestic rates relief, of up to £250 (Tier 1) or £750 (Tier 2), to eligible high street retailers occupying premises with a rateable value of £50,000 or less in the financial year 2018-19, subject to State Aid limits.

Properties that will benefit from this relief will be occupied high street properties such as shops, restaurants, cafes and drinking establishments, with a rateable value of £50,000 or less on 1 April 2018.

Two tiers of relief will be provided depending on the rateable value of the property, whether liability is increasing from 1 April 2017 as a result of the revaluation and whether the business is already entitled to other Welsh Government support.

Tier 1 – lower level of support: £250 (or the total remaining liability if this is less than £250)

Eligible ratepayers will be high street retailers whose properties have a rateable value of between £6,001 and £12,000* for the financial year 2018-19 and who meet the following criteria:

- In receipt of Small Business Rates Relief (SBRR) on 1 April 2018; and /or
- In receipt of Transitional Relief on 1 April 2018.

*There will be a small number of ratepayers whose properties have a rateable value of £12,000 or above who are in receipt of Transitional Relief. These ratepayers will also qualify for Tier 1 relief.

It is recognised that there may also be a small number of ratepayers whose properties have a rateable value of £12,000 who are not in receipt of Transitional Relief and who are on the very upper threshold of the SBRR taper and hence receive no SBRR relief. Such ratepayers will be eligible for Tier 1 relief.

Tier 2 – higher level of support: £750

Eligible ratepayers will be high street retailers whose property has a rateable value between £12,001 and £50,000 for the financial year 2018-19 and who meet the following criteria:

- Not in receipt of SBRR or Transitional Relief on 1 April 2018; and
- Had an increase in their rate liability on 1 April 2017.

It is intended that, for the purposes of this scheme, high street properties such as, “shops, restaurants, cafes and drinking establishments” will mean the following (subject to the other criteria in this guidance).

i. Premises that are being used for the sale of goods to visiting members of the public

Shops (such as florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off-licences, newsagents, hardware stores, supermarkets, etc)

Opticians

Pharmacies

Post offices

Furnishing shops or display rooms (such as carpet shops, double glazing, garage doors)

Car or caravan showrooms

Second hand car lots

Markets

Petrol stations

Garden centres

Art galleries (where art is for sale or hire)

ii. Premises that are being used for the provision of the following services to visiting members of the public

Hair and beauty services

Shoe repairs or key cutting

Travel agents

Ticket offices, eg. for theatre

Dry cleaners

Launderettes

PC, TV or domestic appliance repair

- Funeral directors
- Photo processing
- DVD or video rentals
- Tool hire
- Car hire
- Cinemas
- Estate and letting agents

iii. **Premises that are being used for the sale of food and / or drink to visiting members of the public**

- Restaurants
- Drive-through or drive-in restaurants
- Takeaways
- Sandwich shops
- Cafés
- Coffee shops
- Pubs
- Wine Bars

To qualify for the relief a hereditament listed in (i) to (iii) should be wholly or mainly used as a shop, restaurant, café or drinking establishment. This is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

The list set out above is not intended to be exhaustive as it would be impossible to list all the many and varied high street retail uses that exist. There will also be mixed uses. However, it is intended to be a guide as to the types of uses that the Welsh Government considers should qualify for the High Street Rate Relief Scheme. Determinations will be required as to whether particular properties not listed are broadly similar in nature to those above and, if so, to consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those listed above should not be eligible for the relief.

As the grant of the relief is discretionary, local authorities may choose not to grant the relief if they consider that to be appropriate, however it is highly unlikely that the Council would not wish an eligible business to benefit from the reduction in rates that the scheme affords.

There are certain business types that Welsh Government has specifically excluded from the scheme namely:

i. ***Premises that are being used for the provision of the following services:***

- Financial services (eg. banks, building societies, cash points, ATMs, bureaux de change, payday lenders, betting shops, pawn brokers)
- Medical services (eg. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (eg. solicitors, accountants, insurance agents, financial advisers, tutors)
- Post office sorting office
- Tourism accommodation, eg. B&Bs, hotel accommodation and caravan parks
- Sports clubs

Children's play centres
Day nurseries
Outdoor activity centres
Gyms
Kennels and catteries
Show homes and marketing suites
Employment agencies

There are a number of further types of hereditaments which the Welsh Government believes should not be eligible for the high street relief scheme:

ii. Premises with a rateable value of more than £50,000

Whilst it is recognised there are some high street retail businesses with rateable value above the £50,000 relief threshold who are also experiencing increases in their rateable values as a result of the 2017 Revaluation, these properties will not be eligible for this relief.

iii. Premises that are not reasonably accessible to visiting members of the public

If a business is not reasonably accessible to visiting members of the public, it will be ineligible for relief under the scheme.

iv. Premises situated in out-of-town retail parks or industrial estates

The scheme will only apply to business premises that are situated in a high street environment or similar, this includes town centre pedestrian shopping precincts or malls but specifically excludes those situated in out of town retail parks or industrial estates.

v. Premises that are not occupied

Properties that are not occupied on 1 April 2017 should be excluded from this relief. There are other statutory rate reliefs that provide reductions under certain circumstances for empty properties.

vi. Premises that are in receipt of mandatory charitable rates relief

Retail premises that already receive mandatory rate relief such as charity shops are excluded from receiving additional relief under the High Street Relief Scheme.

Other Considerations

Ratepayers that occupy more than one property will be entitled to High Street Rates Relief for each of their eligible properties, subject to State Aid de minimis limits.

Eligibility for the relief will be calculated based on the circumstances of the property and ratepayer as at 1 April 2018. Changes to properties which occur after this date will have no impact on eligibility for this relief.

Empty properties becoming occupied after 1 April 2018 will not qualify for this relief.

If there is a change in occupier part way through the financial year, after relief has already been provided to the hereditament, the new occupier will not qualify for the relief.

This treatment is intended to simplify the administration of the scheme but also reflects that the relief is to help support those affected by the revaluation. It is assumed that the rateable values for properties being occupied after 1 April 2017 will have been known in advance

State Aid

Awards made under the High Street Rate Relief Scheme will in most instances count as state aid and the European Union regulates state funded support to businesses.

The De Minimis Regulation allows an undertaking to receive up to €200,000 of De Minimis aid in a three-year period (consisting of the current financial year and the two previous financial years).

To administer the scheme and comply with the De Minimis regulations it is necessary for the council to establish that the award of aid will not result in the undertaking having received more than €200,000 of De Minimis aid. The threshold only relates to aid provided under the De Minimis Regulations (aid under other exemptions or outside the scope of State Aid is not relevant to the De Minimis calculation).

To comply with the state aid rules all ratepayers will required to declare if they consider that they have exceeded the de minimis limits and will be sent a form for this purpose.

Further information on the state aid and de Minimis rules can be found at:

<http://gov.wales/funding/state-aid/de-minimis-aid/?lang=en>

http://ec.europa.eu/competition/state_aid/legislation/de_minimis_regulation_en.pdf



Report

Council

Part 1

Date: 24 July 2018

Subject Protocol on Member/Officer Relations

Purpose To submit the revised Protocol on Member/Officer Relations to Council for approval.

Author Head of Law & Regulation

Ward General

Summary As part of its forward work-programme, the Standards Committee has undertaken a review of the Protocol on Member/Officer Relations.

The revised protocol attached at Appendix 1 has been agreed by the Standards Committee for recommendation to Council.

Proposal To adopt the revised Protocol on Member/Officer Relations.

Action by Head of Law & Regulation

Timetable Immediate

This Report was prepared after consultation with:

- Head of Democratic Service
- Head of Finance
- Head of People & Business Change

Background

1. As part of its forward work-programme, the Standards Committee has undertaken a review of the Protocol on Member/Officer Relations. Following this review, the revised protocol attached at Appendix 1 has been agreed by the Standards Committee for recommendation to Council.
2. The original Protocol was agreed by Standards Committee over 15 years ago, prior to the introduction of the Model Code of Conduct in Wales. It was intended to give practical advice to both officers and councillors as to how they should work together in a relationship of mutual trust and respect, so as to maintain public confidence in the integrity of public service. It was not intended to replace or supersede either of the regulatory codes – the Employee Code of Conduct and the Member Code of Conduct – but to provide practical advice on how the underlying principles of both Codes should be applied in practice to working relationships.
3. Any breaches of the Employee Code of Conduct are dealt with as disciplinary matters under the Council's terms and conditions of employment. The provisions of the Code are incorporated within individual contracts of employment and are enforceable through the Council's Disciplinary Code. Breaches of the Members Code of Conduct are either dealt with under the Local Resolution Protocol (for low-level breaches) or referred to the Ombudsman and dealt with by Standards Committee.
4. The Protocol has been updated periodically over the years on a piecemeal basis, but it has never been comprehensively reviewed. Standards Committee did recommend a wholesale review some years ago but the proposal was never approved by full council, due to a misunderstanding about the nature and effect of the Protocol.
5. Standards Committee meeting on 25th January 2018 agreed that there is a continuing need for the Protocol, to supplement the regulatory codes. Committee also considered that the existing Protocol, as set out in the Council's Constitution, was in need of revision and up-dating, in line with the alternative document, which was drafted as part of the new Model Welsh Constitution.
6. The different models were circulated to the Committee Members following the meeting, so that any comments could be incorporated in a revised document for consideration at the next meeting. Some comments were received about the need to strengthen the new version by reference to harassment, which is specifically referred to in the existing Protocol.
7. A revised Protocol was re-drafted, to incorporate these comments and the relevant parts of both documents, and presented to the Standards Committee on 12 July. The Committee agreed to recommend adoption of this document to Council as part of the written Constitution.

Comments of Chief Financial Officer

8. There are no financial implications

Comments of Monitoring Officer

9. Set out in the Report

Staffing Implications: Comments of Head of People and Business Change

10. There are no staffing or policy implications.

Background Papers

Dated: 12 July 2018

Appendix 1 – Revised Protocol

Protocol on Member / Officer Relations

1. Introduction

- 1.1 The purpose of this Protocol is to guide Councillors and officers of the Council in their relations with one another.
- 1.2 The Protocol seeks to reflect the underlying principles of both the Councillor Code of Conduct and the Employee Code of Conduct. The shared purpose of these Codes is to enhance and maintain the integrity of local government by promoting high standards of personal conduct and ethical behaviour. It is essential that both Councillors and officers are familiar with the detailed obligations in their respective Codes of Conduct which will prevail in the event of any conflict between the Codes and this Protocol.
- 1.3 Mutual respect between Councillors and officers is essential to good local government. However, close personal familiarity between individual Councillors and officers can damage this relationship and prove embarrassing to other Councillors and officers.
- 1.4 The relationship has to function without compromising the ultimate responsibilities of officers to the Council as a whole, with due regard to such technical, financial, professional and legal advice that officers can legitimately provide to Councillors. The Protocol seeks to set a framework that assists the working relationships between Councillors and officers.

2. Roles and Responsibilities.

2.1 Councillors

Councillors have a wide range of roles and responsibilities:

- 2.1.1 Councillors express political values and support the policies of the party or group to which they belong (if any).
- 2.1.2 Councillors represent their electoral division and are advocates for the citizens who live in the area.
- 2.1.3 Councillors are involved in active partnerships with other organisations as community leaders.
- 2.1.4 Councillors contribute to the decisions taken in Full Council and the various Committees and bodies on which they serve, as well as joint committees, outside bodies and partnership organisations.
- 2.1.5 Councillors help develop and review policy and strategy.
- 2.1.6 Councillors monitor and review policy implementation and service quality.
- 2.1.7 Councillors are involved in quasi-judicial work through their Membership of regulatory committees, such as Planning and Licensing.

2.2 Officers

Officers have the following general roles and responsibilities:-

- 2.2.1 Managing and providing the services for which the Council has given them responsibility and being accountable for the efficiency and effectiveness of those services.
- 2.2.2 Providing advice to the Council and its various bodies and to individual Members in respect of the services provided.
- 2.2.3 Initiating policy proposals.
- 2.2.4 Implementing agreed policy.
- 2.2.5 Ensuring that the Council always acts in a lawful manner.

3. **Respect and Courtesy**

- 3.1 For the effective conduct of Council business there must be mutual respect, trust and courtesy in all meetings and contacts, both formal and informal, between Councillors and Officers. This plays a very important part in the Council's reputation and how it is seen in public. It is very important that both Councillors and Officers remember their respective obligations to enhance the Council's reputation.
- 3.2 Councillors should avoid personal criticism of individual officers or identifiable groups of officers in public forums (including the media and social media). Similarly, officers should avoid personal criticism of elected Councillors or groups of councillors in public forums (including the media and social media).

4. **Undue Pressure**

- 4.1 It is important in any dealings between Councillors and Officers that neither should seek to take unfair advantage of their position. In their dealings with Officers (especially junior staff), Councillors need to be aware that it is easy for them to be overawed and feel at a disadvantage. Such feelings can be intensified where Councillors hold senior official and/or political office. Wherever possible, Councillors should direct enquiries through Heads of Service or senior managers rather than approach more junior staff directly.
- 4.2 A Councillor should not apply undue pressure on an Officer either to do anything that he/she is not empowered to do or to undertake work outside normal duties or outside normal hours. Particular care needs to be taken in connection with the use of Council property and services. Similarly, an Officer must neither seek to use undue influence on an individual Councillor to make a decision in his favour, nor raise personal matters to do with their job, nor make claims or allegations about other staff. (The Council has formal procedures for consultation, grievance and discipline, and Officers have the right to report possible wrongdoing under the Council's Confidential Whistleblowing Policy).
- 4.3 Councillors should not, by their conduct, language, or actions, make any officer feel intimidated, harassed, threatened or bullied. Similarly, officers should not, by their conduct, language, or actions, make any Councillor feel intimidated, harassed, threatened or bullied.

5. **Personal Relationships**

- 5.1 Close personal familiarity between individual Councillors and Officers can damage the principle of mutual respect. It could also, intentionally or accidentally, lead to the passing of confidential information or information which should not properly be passed between them, such as personal details. Such familiarity could also cause embarrassment to other Councillors and/or other Officers and even give rise to suspicions of favouritism. For these reasons close personal familiarity should be avoided.
- 5.2 Councillors should declare to the Leader their Political Group or to the Leader of the Council or to the Monitoring Officer, any close personal relationship with an Officer, which could be considered as influencing their work or decision-making. This might be a family relationship, a business relationship, or another close relationship, which might be perceived as so significant that it is likely to prejudice their judgement.
- 5.3 Officers also have a duty to declare any such close personal relationships with individual Councillors to their Manager or Head of Service, where appropriate.
- 5.4 Councillors should not accept any Cabinet position or sit on any Committee which is responsible for any Service Area where a Councillor's relationship with an officer could unduly influence the Councillor's decision-making or the work of the Service Area in question or be perceived as such.

6. Provision of Advice and Guidance

- 6.1 Council officers have an obligation to give impartial advice and to implement the Council's decisions. They have operational responsibilities and powers which are generally set out in the Council's scheme of delegation.
- 6.2 Councillors taking decisions must reach those decisions having regard to any relevant advice by the authority's officers. In advising, officers are free to give their professional advice wherever appropriate. Councillors may test this advice by questioning and challenging in an appropriate manner but not in a way that could be interpreted as intimidating, harassing, threatening or bullying. Councillors should ensure that any such challenge is made to an officer of suitable seniority, generally a statutory officer, Corporate Director or Head of Service.
- 6.3 Officers should accept that Councillors are entitled to question advice given, and to receive a full and complete explanation.
- 6.4 The Council has three main statutory officers; the Head of Paid Service, the Monitoring Officer and the Section 151 Officer, who have duties to advise the Council as a corporate body or the Cabinet in relation to executive functions, and have a statutory right to advise as they believe appropriate within their statutory duties.
- 6.5 Officers have to advise Councillors from time to time that a certain course of action cannot be carried out. Councillors sometimes assume that this is a case of Officers deliberately obstructing the wishes of politicians. In fact this is hardly ever the case. Officers are employed to give unbiased professional advice even if it is not what Members want to hear. They do this as much for the protection of Members as for any other reason. However, the mark of an effective officer is that if they do have to give negative advice, this will be accompanied by suggestions as to how Councillors might achieve some or all of their objectives in other ways.

7. Access to Information and Documents

- 7.1 Councillors are free to approach Officers of the Council to provide them with such information as they may reasonably need in order to assist them in discharging their role as a Member of the Council. This can range from a request for general information about some aspect of the Council's activities to a request for specific information on behalf of a constituent.
- 7.2 Officers should always endeavour to respond to requests for information promptly and should in any event inform the Councillor if there is likely to be any appreciable delay in dealing with an enquiry. As a minimum the timescale for responding to correspondence should be observed i.e. either a full response or, if this is not possible, an acknowledgement that fully explains what is happening within five working days of the receipt of the enquiry.
- 7.3 The legal rights of Councillors to inspect Council documents are covered partly by statute and partly by common law.
- 7.4 The Access to Information Procedure Rules (as set out in the Council's Constitution) and the provisions of the Local Government Act 1972 Part VA and Schedule 12A provide a statutory right of access to papers relating to Council business, including agendas, reports, background papers and minutes of meetings.
- 7.5 The Monitoring Officer has the initial responsibility to determine whether consideration of reports to the Council, Cabinet, Cabinet Members or Committees are likely to disclose confidential or 'exempt' information as defined in legislation and whether it is in the public interest that this information is not made public. However, the decision as to whether they remain confidential is for the Committee to determine at the relevant meeting.

- 7.6 If any report is issued within the confidential Part 2 of the agenda for a meeting and unless the Council, Cabinet or Committee decides that it should be discussed in public, all Officers and Councillors must respect the confidentiality of the report and not disclose it to a third party.
- 7.7 It does not however follow that all the contents of a Part 2 report must be regarded as secret. It may only be certain items of information or terms of negotiations justify the inclusion of that report within Part 2; other aspects may already be within the public domain or otherwise outside the definition of 'exempt'. In such circumstances, an Officer or Councillor may refer to these 'public' aspects in discussions with third parties but must exercise proper care and judgement not to reveal those elements of the paper which are protected. Any Officer or Councillor should consult with the Monitoring Officer before doing so.
- 7.8 The Council promotes openness and access to information by all its Councillors. Whilst Councillors have no automatic statutory right to Part 2 reports and "exempt information", generally reports to be considered by the Council, the Cabinet, Cabinet Members, Committees are made available to all Members of the Council. Confidential or exempt information provided to Councillors as part of these reports must be used properly and should not be released or disclosed to any third party. It is not necessary for a Councillor to establish an individual "need to know" in relation to exempt information contained in Part 2 reports.
- 7.9 The common law right of Councillors is based on the principle that any councillor has a right to inspect any Council documents so far as his/ her access to the document is reasonably necessary to enable the councillor properly to perform his/her duties as a Member of the Council. This principle is commonly referred to as the "need to know" principle.
- 7.10 The exercise of the common law right depends upon a Councillor's ability to demonstrate a "need to know". In this respect a Councillor has no right to "a roving commission" to examine any documents of the Council. Mere curiosity is not sufficient.
- 7.11 The information sought by a Councillor should only be provided by the respective Service Area as long as it is within the limits of their resources. For their part, Councillors, should seek to act reasonably in the number and content of the requests they make.
- 7.12 It is important for Service Areas and their staff to keep Councillors informed both about the major issues concerning the Council and, more specifically, about issues and events affecting the wards that they represents. Local Members should be informed and consulted about proposals that affect their wards and should also be invited to attend Council initiated events within their wards.
- 7.13 If a Councillor asks for specific information relating to the work of a particular Service Area, and it appears possible or likely that at a subsequent meeting an issue could be raised or question asked on the basis of the information provided, then the appropriate Cabinet Member or Committee Chair concerned should be advised about the information provided.
- 7.14 Councillors may be entitled under the Freedom of Information Act 2000 to receive information which falls outside their common law rights based on the "need to know". Employees are encouraged to supply documents to Councillors without the need for a formal FOI request if it is apparent from the Member's enquiry that any member of the public would be entitled to receive such documentation. The Monitoring Officer will be able to advise on whether any request would fall within the Freedom of Information Act.

8. **Confidentiality**

- 8.1 In accordance with the Councillor Code of Conduct, a Member must not disclose information given to him/her in confidence by anyone, or information acquired which he/she believes, or ought reasonably to be aware, is of a confidential nature, except where:

- 8.1.1 he/she has the consent of a person authorised to give it;
 - 8.1.2 he/she is required by law to do so;
 - 8.1.3 the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - 8.1.4 the disclosure is:
 - (a) reasonable and in the public interest; and
 - (b) made in good faith and in compliance with the reasonable requirements of the Council
- 8.2 Confidential [Part 2] Committee papers are to be treated as confidential information unless the relevant Committee resolves not to exclude press and public. Other information may be confidential because to disclose it would be against the Council's or the public interest. Information may also be confidential because of the circumstances in which it was obtained.
- 8.3 Information and correspondence about an individual's private or business affairs will normally be confidential.
- 8.4 Officers should make it clear to Councillors if they are giving them confidential information. If a Councillor is not sure whether information is confidential, he or she should ask the relevant Officer, but treat the information as confidential in the meantime.
- 8.5 Any Council information provided to a Councillor must only be used by the Councillor in connection with the proper performance of his/her duties as a Member of the Council.
- 8.6 If a Councillor receives confidential information and considers it should be disclosed to another person because it is reasonable and in the public interest to do so then he or she must first consult with the Monitoring Officer and shall not disclose the information without having regard to any advice given by that Officer.
9. **Provision of Member Support**
- 9.1 The only basis on which the Council can lawfully provide support services (e.g. stationery, word processing, printing, photocopying, transport, etc.) to Councillors is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with party political or campaigning activity or for private purposes.
- 9.2 **Correspondence.**
Official letters on behalf of the Council should be sent in the name of the appropriate Officer, rather than over the name of a Member. There are circumstances where a letter sent in the name of a Councillor is perfectly appropriate, for example, in response to a letter of enquiry or complaint sent direct to that Member. Letters which, for example, create obligations or give instructions on behalf of the Council should never be sent out in the name of a Councillor
- 9.3 **Media.**
Communication with the media on behalf of the Council or in relation to council business can be an important part of a Member's workload. In general, Councillors provide comment and views while Officers provide factual information. If a Councillor is unsure about the circumstances of a particular issue he/she should contact the appropriate Corporate Director or Head of Service concerned or ask the Public Relations and Communications Team to do so.
10. **The Council's role as Employer.**
- 10.1 In their dealings with Officers, Councillors should recognise and have regard to the Council's role as employer. Councillors should be aware that Officers could rely on inappropriate behaviour of a Councillor in an employment case against the Council.

- 10.2 Councillors will play no part in the appointment of Council staff, other than the appointment of Chief Officers.
- 10.3 Councillors should not act as referee or canvass the appointment of any individual for a post within the City Council. Councillors will take their own personal view as to whether it is appropriate, and in accordance with the principles of this Protocol, for them to act as referee for any Officer applying for a post outside the Council.
11. **Political Activity.**
- 11.1 There are a number of constraints that apply to an Officer who occupies a post that is designated as “politically restricted” under the terms of the Local Government and Housing Act 1989.
- 11.2 In summary, such Officers are prevented from:
- 11.2.1. being a Member of Parliament, European Parliament or local authority;
- 11.2.2. acting as an election agent or sub-agent for a candidate for election as a Member of any these bodies;
- 11.2.3. being an Officer of a political party or any branch of a political party or a member of any committee or sub-committee of such a party or branch, if his duties would be likely to require him to:
- (a) participate in the general management of the party or branch; or
- (b) act on behalf of the party or branch in dealings with persons other than members of the party;
- 11.2.4 canvassing on behalf of a political party or a candidate for election to any the bodies referred to in 11.2.1;
- 11.2.5 speaking to the public with the apparent intent of affecting public support for a political party; and
- 11.2.6 publishing any written or artistic work of which he is the author (or one of the authors) or acting in an editorial capacity in relation to such works, or to cause, authorise or permit any other person to publish such work or collection - if the work appears to be intended to affect public support for a political party.
- 11.3 It is common for party groups within the Council to give preliminary consideration to matters of Council business in advance of such matters being considered by the relevant decision making body. Officers may properly be called upon to support and contribute to such deliberations by party groups provided they maintain a stance which is politically impartial. Officers should not, however, attend any political party meetings which include individuals who are not Members of the Council. Officers should be required to give information and advice to political groups on Council business only and not on matters which are purely of a party political nature. Such advice should be available to all party groups and not solely to the majority group. If an officer gives a briefing to any political group represented on the Council, then a similar briefing will be made available to the other party groups on the Council. It is important that the political neutrality of Officers is preserved and that group confidentiality is maintained by Officers.
- 11.4 Usually the only Officers involved in attending group meetings will be the Chief Executive, Corporate Directors and Heads of Service and they will generally leave the meeting after making their presentation and answering questions.
- 11.5 Officers are employed by the Council as a whole. They serve the Council and are responsible to the Chief Executive and their respective Corporate Directors/Heads of Service, and not to individual Members of the Council whatever office they might hold. However, officers may occasionally be called upon by individual Councillors to advise or give information on particular issues that relate to the councillor's representational or constituency role, provided that they do not advise or assist Members in relation to any personal or political matters.
- 11.6 Certain Officers will work closely with the Leader and Cabinet Members on policy matters. Other officers will also work closely with Chairs of Committees. These officers may be asked to brief

those Councillors on legal or constitutional issues, the implementation of policies and/or available options. This is entirely acceptable, whether done individually or collectively. However, the relationship should not be so close (or appear to be so close) as to bring into question the officer's ability to deal impartially with other Councillors or party groups.

12. **Complaints**

- 12.1 Any complaints about the conduct of particular officers or any breach of this Protocol by a member of staff should be referred to the appropriate Head of Service. In the case of complaint is against a Head of Service, the matter should be raised with the appropriate Corporate Director or Chief Executive. Any complaints about Corporate Directors should be referred to the Chief Executive. If the complaint is about the Chief Executive, this must be raised with the Leader of the Council. In all such cases the complaints will be handled in accordance with the Council's confidential internal staffing procedures. The outcome of the process is the only information that the complainant will be entitled to.
- 12.2 Any complaints about the conduct of a particular Councillor or any breach of this Protocol by an elected Member should be reported to the Council's Monitoring Officer, who will then advise on whether it is appropriate for the issue to be dealt with in accordance with the Council's Local Resolution Protocol or, in the case of a more serious breach, referred to the Public Services Ombudsman for Wales..

13. **Conclusion**

By following good practice and securing sensible and practical working relationships between Councillors and Officers, we can provide one of the cornerstones of a successful local authority and thereby enhance the delivery of high value quality services to the public. Mutual understanding, openness and respect are the greatest safeguard of the integrity of the Council, its Members and Officers.

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Minutes



Standards Committee

Date: 12 July 2018

Time: 5.30 pm

Present: P Westwood (Chair), Davies, H Britton along with Councillors V Dudley, P Hourahine

In attendance: Gareth Price (Head of Law & Regulation), Juliet Owen (Chief Legal Officer) and Michele Chesterman (Governance Officer)

Apologies: K Watkins, A Mitchell and Councillor H Thomas

1 **Apologies for Absence**

2 **Declarations of Interest**

None received.

3 **Minutes of the Previous Meeting: 19 April 2018**

The minutes of the meeting of 19 April 2018 were submitted.

Agreed

That the minutes of the meeting were accepted as a true record.

4 **Matters Arising**

Item 4:

- Standards Conference Wales (14 September 2018): to be raised under item 9 in the Agenda.
- Code of Conduct Training: Only three Council members had not attended the training in May/June 2017. A letter had been sent to those members who did not attend the training along with a copy of the PowerPoint presentation and copied to the Leader, Business Managers and Chair of Standards.

Item 7:

- Officer/Member Protocol: The protocol had been circulated. There had been no further comments/amendments. The Head of Law and Regulations asked Committee members if they were happy to recommend to Council for adoption. All agreed. The intention was to take to Council on 24 July 2018 but it may need to be deferred until the Council meeting in September 2018.

Item 8:

- **Community Councils Review:** In the minutes of the last meeting on 19 April 2018 it was mentioned that one of the community councils had declined to respond. Councillor Dudley asked which one. This would be reported back to the next meeting. The Head of Law and Regulation explained that they should give a reason for declining. Most of the responses received from the community councils stated that they had made steps to comply with the legislation and code of conduct and there were no signs of non-compliance. For those community councils that had responded the responses were satisfactory and members had received some training.

5 Chair's Announcements

Interviews had taken place to appoint a co-opted member of the Standards Committee. Subject to the new appointment being ratified at the next Council meeting they would be invited to attend the Standards Committee meeting on 1 November 2018.

The Head of Law and Regulation explained that the co-opted member had to be independent. It could not be a former Council member or officer. Other than that they should have experience of the public sector, ethical standards. The job specification had a number of performance skills to compare against. A DBS check was not a requirement of the post.

The Head of Law and Regulation stated that councillors were not required to undertake DBS checks as a matter of routine. Unless there is unsupervised contact with vulnerable persons it was not required although some councils do carry out DBS checks.

Councillor Dudley asked about residential home visits. The Head of Law and Regulation responded that this was one reason why a DBS check would be carried out but as the visits were supervised this was felt to be unnecessary.

6 Complaints

The Head of Law and Regulation had received no further reports of complaints.

7 Protocol on Member/Officer Relations

The Head of Law and Regulation reported that there had been no further comments. It was recommended that the Officer/Member Protocol be taken to Council for adoption.

The Chair referred to a survey in the Assembly of staff as opposed to members and asked if there was an appetite for the same in the Council. The Head of Law and Regulation responded that Council staff were surveyed in terms of satisfaction but one is not undertaken in relation to staff views on Members as out of the 3000 plus council staff not all will have contact with councillors. If there were complaints they would be brought back to Standards Committee. A survey had been undertaken of members previously on how ethical standards were working. This could be resurrected if felt worthwhile. Some of the questions used last time could be asked.

Councillor Dudley felt that with the proportion of new members in the Council this could be a good idea.

The Head of Law and Standards explained that it would be necessary to identify which staff had working relationships with members and how far the survey should be rolled out. For instance some staff might not have direct contact with members but may have contact via telephone calls etc. There would be a difficulty selecting staff but it could be done if

Committee members felt it was worthwhile. Agreed to place on the agenda for the next meeting in November and provide the Committee with examples of questions asked in the previous survey.

Agreed

- To recommend the Officer/Member Protocol to Council for adoption.
- Survey of staff relationship to Councillors to be placed on the agenda for the next meeting along with examples of questions asked in a previous survey.

8 Letter to Community Councils - Review of Ethical Standards: Questionnaire Follow-up

Since the last meeting Bishton and Penhow CC had sent in their responses for the Standards Ethical Review. The Bishton CC response was attached to the agenda but not the Penhow CC response. This would be circulated with the minutes.

The Chair asked if there was a common thread to the responses received.

The Head of Law and Regulation responded that there were two aspects –compliance and training requirements. All the responses so far had showed that members register and were up to date. In terms of training some attended sessions with One Voice Wales and some with training provided by Newport City Council. A composite response would be circulated for the next meeting.

The Head of Law and Regulation noted that Newport City Council had provided training previously for community councils, city councils or combined. This could be considered if members felt appropriate.

Agreed:

- The Penhow Community Council response, to the Review of Ethical Standards Questionnaire, to be circulated with the minutes.
- A composite response of the community councils, to the Review of Ethical Standards Questionnaire, to be circulated for the agenda of the next Standards Committee meeting on 1 November 2018.

9 Standards Conference: Aberystwyth

The Chair informed members that they had been circulated with correspondence on the Standards Conference Wales 2018 which would take place in Aberystwyth on 14 September 2018.

Each council in Wales was allocated 4 places. The Head of Law and Regulation had asked the Governance Team Leader to liaise with the Democracy and Communication Manager in terms of budget. Officers and members were welcome to attend. The Head of Law and Regulation and the Chief Legal Officer had attended previously but were happy to stand down if members wished to attend.

The Chair mentioned that A Mitchell had indicated he would like to attend.

Agreed:

- An invitation to the Standards Conference Wales 2018 be extended to all members of Standards Committee.
- Members to contact Democratic.services@newport.gov.uk if interested in attending
- An email to be sent to A Mitchell to confirm he wishes to attend.

10 **Date of Next Meeting: 1 November 2018 in Committee Room 4 at 5.30pm**

The meeting terminated at 6.00 pm