

Minutes



Overview and Scrutiny Management Committee

Date: 19 February 2021

Time: 10.00 am

Present: Councillors L Lacey (Chair), G Berry, P Hourahine, M Al-Nuaimi, Y Forsey, C Ferris, M Evans, C Evans and J Hughes

Gareth Price (Head of Law & Regulation), Rhys Cornwall (Strategic Director - Transformation and Corporate Centre), Rhys Thomas (Regulatory Services Manager – Environment and Community) and Neil Barnett (Scrutiny Adviser)

In Attendance:

Apologies: Councillors

1 Declarations of Interest

None.

A Member stated that they had spent lot of time with groups in Pill and works with the Helping Caring Team (HCT) as consultant, and other charities who have asked their views to be expressed. This was asked to go on the record.

The Head and Law and Regulation clarified that this is not a declaration of interest.

2 Minutes of the previous meeting held on 29 January 2021

The minutes of the Meeting held on 29 January 2021 were recorded as a true and accurate record with the following amendments:

- Page 4 – “This could have a large effect on individual schools in terms of teacher numbers and support.” It was requested that this to be amended to – “This could have a large effect on individual schools in terms of teacher numbers and support **staff**”, as this affects the support staff as they don’t have same protection as teachers.

Matters Arising:

- Comment was raised that there was no action sheet included in the agenda and no updates on recommendations from the meeting. The Scrutiny Adviser replied to the committee that these would be included in April’s agenda.

3 Pill PSPO - 2021-2024 (Public Spaces Protection Order)

Invitees;

Gareth Price **Head of Law and Regulation**
Rhys Thomas **Regulatory Services Manager**
Sergeant Mervyn Priest **Gwent Police**
Claire Drayton **Community Protection Manager**
Cllr Ibrahim Hayat **Pillgwenlly Ward Councillor - Newport City Council**

The Regulatory Services Manager presented the report for the PSPO. The previous PSPO in place in Pill had expired in the middle of 2020, and due to being mid-pandemic, this has been the first chance to bring a remodelled proposal.

The PSPO has been worked on by community protection officers and in partnership with police. The aim is to identify the previous restrictions, consider whether they were effective and if they need to be amended, and consider if any additional controls are needed. This PSPO being proposed for 2021 will see an increase in restrictions in the PSPO, to increase the ability of enforcement between community safety wardens and Gwent Police. The aim of the PSPO is to prevent low level anti-social behaviour and respond to issues, being able to issue a fixed penalty notice if required.

The Committee is being asked to consider the PSPO, whether it needs to be re-implemented, and the conditions of the PSPO. The committee need to consider if they are satisfied with the public consultation process. It was mentioned as a point of clarification that this is a draft to proceed on consultation.

Sergeant Priest echoed the comments of Mr Rhys Thomas, agreeing with what was presented. Sgt Priest remarked he would welcome any questions as the consultation proceeds.

Councillor Ibrahim Hayat, representing the Pill Ward, commented that the PSPO has been effective in making Pill a better place to live. It is important to make the area a more pleasant place. As a council we should want to encourage local business to invest in the area (i.e. Commercial Road). Investment has started to come back in since the PSPO. Need to ensure this PSPO is extended and reinstated, giving people the confidence to live and invest in the Pill ward.

Members asked and discussed the following:

- A member commented that he fully supports the Pill councillors in wanting to reinstate the PSPO. It was commented as important to recognise the particular pressures faced in the Pill ward. The report provided mentions that previous sanctions were minimal (page 22), and that there have been minimal fines issued, particularly in

relation to those involved with sexual exploitation. Why are the fines still being included if there have been minimal fines in the past?

The Regulatory Services Manager replied that in addition to the police, community safety wardens have also used the PSPO powers. Both the police and the community safety wardens have used these enforcement measures. Sgt Priest advised that the issuing of FPNs is not the only work that would be done with the sexually exploited females, who are not the target of this PSPO.

- A member asked how 'minimal' in this report is being defined?

The Regulatory Services Manager replied that there have been 8 PSPOs and 10 FPNs issued by council officers, also been non PSPO-FPNs issued, primarily associated with littering.

- A member asked how much of a benefit would the power of issuing FPNs be? And is it worthwhile given how likely the Police are to issue these FPNs?

Sgt Priest replied that a lot of wrap around support is being made available for these individuals (sex workers and other vulnerable people in the community), and it is recognised that this is linked to other issues such as drugs and other anti-social behaviour. These FPNs are therefore a tool that could be utilised by the officers, but the aim is not to be issuing excessive FPNs.

- Members raised the issue regarding the proposals in the PSPO linked to begging. Will the PSPO address in further detail specific sites of areas were this will not be allowed, for example near cash points or in shop doorways?

The Regulatory Services Manager replied that the current restriction can apply anywhere within the Pill area, not just specific areas. There is no evidence to suggest that these specific measures are needed. It is not allocated to a particular area (e.g. shop front), this is to allow officers to interpret this as they feel is needed and where necessary, to give the officers the freedom they may need to move people on.

- A member asked when this order will be enforced?

The Regulatory Services Manager replied that, if this is agreed to go out to consultation in this meeting, the final draft will be brought back to the Committee for agreement in April. It will then go to next meeting of Council for agreement for implementation.

- A member commented that given there has been 12 months without a PSPO in Pill now. It was then asked what has been the impact of this, and has there been any detriment as a result of it not being in place?

Sgt Priest replied that this is not just about police powers but also for partners (e.g. community safety wardens) and how they interact with the community. The member replied asking if the success of this PSPO dependent on the amount of resources that the council are willing to deploy to this area? The Head of Law and Regulation replied

to say that it is understood that this request for a PSPO is from the police perspective more so than the council officers

The member then replied to say that from the police perspective, these powers haven't been used to a great extent, so are they necessary? The Head of Law and Regulation responded saying that from a NCC perspective, this PSPO is much more about prevention and a deterrent, not about number of FPNs delivered, but about behaviour being improved and controlled. The number of FPNs issued is not the measure of success. A member agreed with this point, commenting that this PSPO should be used as a preventative tool rather than with the aim to issue more FPNs.

- There has been a period without this PSPO, what has happened as a result of this? Will this PSPO allow officers to do their job more effectively?

The Regulatory Services Manager replied that the purpose of this PSPO is about having tools available in order to deal with anti-social behaviour, A member agreed that it is important to emphasise that this is just another way to enforce public order and improved behaviour in the area. The Regulatory Services Manager agreed that reaching enforcement is not the ideal outcome.

- A member raised that he has been contacted by a number of charities with regards to this PSPO. Concerns were raised about whether PSPOs really work or not. Comment was then made that organisations such as Amnesty International opposes these type of PSPO restrictions, and favour the decriminalisation of sex work. This is partly due to concerns that this pushes the problem 'underground', where this cannot be dealt with. There needs to be a focus on helping these individuals who are sexually exploited, rather than opening up the possibility of criminalising them. Real exploitation and trafficking is going on off the streets.

The wording of the PSPO suggests that this will allow officers to target a person who is on the street offering sexual services. The member requests that we consult with specialist groups who have a strong understanding of these issues. New pathways are keen to give their view on this legislation. The Member also sought assurance that we will seek the views of the Wallich, New Pathways, and other local outreach groups on this point in the PSPO. Also want clarity whether someone loitering can they be targeted.

Claire Drayton replied wanting to clarify that the PSPO is not targeting the sexually exploited women. We want to be targeting the people who are soliciting these services (curb crawlers). The member replied to ask that the officers would concede that the wording needs looking at. The Regulatory Services Manager confirmed that this PSPO is not targeting the sex workers. The member noted the use of the word 'exploitation' in this PSPO, mentioning that it is important to consider the definition of exploitation, as this can be a contentious issue. The Regulatory Services Manager proceeded to ask the member if there are groups who need to be consulted who are not mentioned in the paperwork. If so these groups can be consulted with. The Regulatory Services Manager agreed that we can review the wording of the 'soliciting and loitering' with regards to sexual exploitation

- A member commented wanting to ensure that what we do is evidence based. There has been this PSPO for three years and similar orders in the city centre, and it is better to view them as preventative measures. Evidence suggests that these have been effective measures because there have not been these intimidating behaviours in the city centre since the introduction of the PSPOs. Do we have evidence that people have been decriminalised? Do we have evidence that sex workers have been unfairly treated? Councillors want to stop anti-social behaviour, and want the police to have powers to stop situations developing. Addressing appendix 4- want to consult as wide a section of the community as possible.
A member replied to this question, wanting to clarify that this PSPO does not decriminalise this behaviour. However, we do want to ensure that vulnerable people are protected.

The Regulatory Services Manager replied regarding consultation, explaining that there are community steering groups currently included. He is happy to include additional groups for consultation. The member replied saying that a lot of money has been invested to make Pill a pleasant place to live and work. It will therefore be important to include businesses concerned in this consultation, as they have invested in the area.

- A member then commented that currently, the city centre area is very quiet. It is questioned whether all we've succeeded in doing moving the problem away from the centre and into Pill? Also a concern raised about people who solicit sexual services- does this FPN allow them to get off lightly?

Sgt Priest replied to say that there are currently penalties for persons caught soliciting sexual services in that area. The Head of Law and Regulation replied saying that a fixed penalty should not be seen as a soft option- it is a preventative measure, and gives the police additional powers earlier on to prevent people coming into the area

- Members returned to the question of how many fines have been issued. 211 fines in total have been issued over 3 years. This does seem like measured use, not excessive. Cllrs for the Pill Ward live and work in this area, and have been elected for this purpose. It is therefore important to put weight on what the councillors from this area have said. Members agreed that there are a number of issues in the Pill area and commented that we do need to recognise the people who live and work in Pill. Some of the issues in Pill are unacceptable for the residents who live there. We need to listen to the views of the public there.
- Members enquired what the response was from the consultation of the public for the first time this was put out?

The Regulatory Services Manager replied saying that previous methods used for consultations are lower in number due to people not being out as much, not in the community. The Regulatory Services Manager also commented that it is worth reflecting that this is a Pill proposal, so the need to engage the local residents is essential.

- Members made reference to the questionnaire on page 20 of the report. Concerning the question about where people are from, there needs to be greater detail regarding whether people are from Newport or not, if they are an individual or representing a business or a charity. Weight should then be given to their views accordingly.

The Chair thanked the officer for attending.

Conclusions and comments

- The Committee agreed that question 1 of the consultation form (Page 30) needed to specify more detail about who was filling in the form, with regards to whether they lived inside or outside of Newport, and whether they are responding as an individual or on behalf of an organisation. If they are responding on behalf of an organisation, there should be details provided about the group so it is clear what the source of that information is.
- As well as the avenues that were suggested in the report, Members hoped that the consultation would reach specialist groups, such as New Pathways, Helping Caring Team (HCT) and Pride in Pill.
- Concern was raised about the wording of Prohibition 9 – “*No person(s) shall enter the area, engage, loiter or solicit on the streets for sexual exploitation within the Restricted Area*”, in particular the word “exploitation”. It was queried if the definition of “exploitation” in relation to such matters in terms of consent, could be checked, and possibly look at the Crown Prosecution Service’s definition of the word. A Member also suggested that the words “loiter” and “solicit” be taken out of the wording.
- The Committee requested that once the public consultation has been completed, the results and the final report are brought back to the Committee on 30th April 2021 to discuss further.

4 Responding to the New Normal

Invitee:

Rhys Cornwall, **Head of People and Business Change**

The Head of People and Business Change presented the report regarding responding to the new normal. There has been a large change in the way we operate as an organisation. Service delivery has still continued in many ways, for example, schools have been open for a variety of purposes. We have also shown that we have been able to continue service provision whilst working remotely. The purpose of bringing this to scrutiny is to begin the conversation about what will take place over the coming months. It was mentioned that it is unlikely we will return to new normal for another few months still. We need to determine what normality will look like and feel like as an organisation. The plan is to bring this to Cabinet over next 3 to 6 months to consider what our new model is going to look like.

Within a few days at the end of March, there were approximately 1200 employees working from home. Most council staff had laptops already and Office 365 had already been implemented. Microsoft Teams also came into use and Net Motion facilitated mobility of networks for remote working. We were already in a reasonably good position to be able to do remote working. I could be considered why we hadn’t done more remote working before? Staff have been provided with work-from-home equipment to ensure they can work from home safely and effectively. We still have some staff working in the Civic Centre for essential services, but the fewer people the better. There have also had to be some changes to policy,

for example the suspension of flexi-time, which has resulted in paying people overtime instead. It is also important to consider the impact on carbon reduction- the mileage claimed for journeys has been significantly reduced. Parking and congestion has also been better around the city.

There has also been an impact on recruitment- there are challenges associated with bringing people on board, leading them, training them, and informing them of organisational culture. However, this type of home working does appeal to people who may find this arrangement more attractive for personal reasons. Home working has provided opportunities to do things differently, for example promoting a better work-life balance. Being able to work in a more flexible way is useful. One of the key challenges is staff and member wellbeing. Coming into the workplace and being with colleagues brings a huge advantage, due to the social element, as well as having support for work-related issues. The need to support wellbeing is paramount.

As a council, we additionally have a wider obligation to the city of Newport- we want the centre to be thriving, we want people to be there. There is a potential impact on less of the workforce coming into the civic centre, therefore utilising the city centre and high street less. We will need to consider a flexible model upon returning to the new normal. This increased flexibility equally applies to members, for example, the Local Government Elections Act (2021) supports the possibility of 'hybrid' meetings.

The Head of Business and Business Change then advised that included in the paperwork is also a report from University of Southampton, of which the conclusions are on page 84. Newport City Council was one of the councils who participated in this report.

The Members asked and discussed the following:

- Members commented that this is an excellent report and very comprehensive in its coverage of different aspects of the issue. It is noted that there have been some real positives coming from these circumstances. It is important to ensure that we are considering everyone, people who prefer working from home and those who do not like it. If we are moving to agile working, will staff need new contracts?

The Head of People and Business Change replied agreeing that home working does not suit everyone, therefore the 'hybrid' model is preferred. He commented that he would not advocate that people work from home all the time. With regards to contracts, The Head of People and Business Change commented that these are fairly flexible as they are already. We would need to get further along with the process before knowing how contracts may need to change.

- Members asked if there would be a training need for managers to deal with home working and in person meeting?

The Head of People and Business Change replied that guidance has been sent out to managers surrounding having informal meetings, discipline to working and stopping/resting etc.

- Members further conveyed their positive response to this report. Remarks were made that this is not just a council issue but a life issue. There is a real positive of driving fewer miles, with less money being spent on petrol. Also, less resources spent on heating and lighting workplaces. However, Members wished to raise issues and commented that we are social beings, we enjoy to have breaks and lunches together.

Also, people go from the civic into the centre, which provides local business. We no longer have a bustling high street and can't ignore the wider damage to society as a whole. Further comment was made that the hybrid model seems to be the best approach to take. Particularly considering new employees, they will need to utilise the hybrid model for their induction.

- Members also commented that staff wellbeing and guidance on boundaries is very important. Cost for staff is also important- e.g. the cost of working from home. This does however offer a real opportunity of reduced carbon footprint. It is important to now record active travel mileage and reward active travel mileage. Survey the barriers to active travel amongst our staff. How could we utilise the underspend (on travel) to maximise active travel opportunities?
- Members commented that there is a danger that the benefits sound exciting at the beginning of the process, but we lose sight of the positives of office working. This highlights the real need for incredible management of people. We have a high turnover of management staff, there is a danger here at a time when we most need excellent managers. It is also important to consider the impact for the city centre. In many ways, this has pushed HR forwards 5 years by promoting flexible working. Will these short-term gains materialise into long term gains?

The Head of People and Business Change replied to say that the Civic Centre was designed for a world that does not exist anymore. We were still only using a fraction of that building (before the pandemic). That building is important, as it is iconic in Newport. We need to find out how can we bring other organisations into the civic centre and make the most of this building. The Head of People and Business Change also commented that the biggest issue with technology is the struggle with broadband in the home. A member commented that in their previous experience working for a charity, a 3-2 balance of working from home and in the office worked well.

- Members particularly highlighted the saving of 235,000 miles from April-August. The Head of People and Business Change remarked that we already have a fairly low staff mileage. Also important to consider how many of those remote meetings and interactions would have been much better if they could have been face to face. Members also referred to the feeling of isolation. Important to take the mental health of staff into account. Very important to consider the wellbeing of the individual. The Head of People and Business Change replied that there are series of packages available for people's wellbeing. People like a segregation between work and home life.
- Members also raised the issue of hybrid meetings. Concerns were raised about dehumanisation of the council and meetings. We have to recognise that remote working has provided a different kind of service to normal- it has not been business as usual. Lack of contact is a much bigger problem, particularly for vulnerable residents. Need to be aware that monetising the cost-benefit of various aspects of home working, e.g. carbon footprint, may not be a true representation of the benefits. For example, people are actually using a lot more heating and electricity in their own homes and this may be less efficient than the workplace.

The Head of People and Business Change replied wanting to assure members this report was not made primarily to show the financial benefit. The Head of People and

Business Change remarked upon the need to remember that what we're considering is the Civic Centre is not a very energy efficient building (1930s build). Plans to move parts of civic to more purpose-built accommodation which will be an energy saving.

- Members remarked that there has been a lot of goodwill regarding working from home, and we want to ensure we don't exploit it. Can we consider how we help people working from home, with an allowance for home Wi-Fi, desk set-up etc. A member replied to say that there is a balancing out of cost, as we save money on petrol, although our home expenses are higher
- The Head of People and Business Change recognises this is a very complicated issue. There are positives and negatives across the board of working from home. Attempting to balance all these concerns going forward. Need to ensure that whatever plan we proceed with there is a reasonable allowance for these arrangements.
- Members commented on the impact of apprentices and trainees, there is a significant disadvantage to trying to learn from colleagues in this remote way. Also commented regarding the Information Station, this is closed and could be opened for vulnerable people.

The Head of People and Business Change replied saying that in considering the hybrid model, efforts would be focussed onto those most important face to face services. We also need to consider how we can use the Civic Centre to its best extent The Head of People and Business Change remarked that staff development is a very important aspect of this plan. When you start somewhere you pick up so much about how an organisation works, it is very hard to do this without being in an environment with lots of people

- Members used the example of the Open University who have utilised the working from home balance for a long time. They use appointed paid mentors to help people learn what they need to and act as someone you can go to. It is also important to raise the point that home working under lockdown is very different to home working when in more normal circumstances.

The Head of People and Business Change commented that he found it easier to cope with home working during summer when restrictions were less. It is worst at the moment because lockdown restrictions are harsh and the weather has been very bad.

- Members enquired where we go from here and what are the next steps for this plan?

The Head of People and Business Change replied that we need to consider how we progress. Dependent on circumstances of each local authority. There will be a report for cabinet in next 3-6 months regarding the steps forward.

- Members asked for an options paper to allow some focus on the debate.

The Head of People and Business Change replied saying we need to speak to staff about detail of what they want.

The Chair thanked the officer for attending.

Comments and conclusions

- The Committee welcomed the report and praised the detail and positivity contained within.
- The Committee discussed Active Travel, and queried if we can measure and survey the number of active travel miles that staff undertake, and also look into the possibility of rewarding staff for taking part. Comment was also made if we could look into any kind of barriers that this may cause.
- The Committee requested that once the service area develop the conversational document into an options paper, it comes back to the Committee to consult, before it goes to Cabinet.

5 Scrutiny Adviser Report

Attendees:

- Neil Barnett (Scrutiny Adviser)
 - a) Forward Work Programme Update

The Scrutiny Adviser presented the Forward Work Programme, and informed the Committee of the topics due to be discussed at the next two committee meetings:

30 April 2021, the agenda items;

- Pill PSPO - 2021-2024 (Public Spaces Protection Order)

3 June 2021, the agenda item;

- Annual Corporate Safeguarding Report
- New Normal

The meeting terminated at 12.47 pm