

Report

Cabinet Member for Licensing & Regulation

Part 1

Date: 26 January 2018

Subject Maesglas Public Space Protection Order

Purpose The Cabinet Member for Licensing & Regulation is asked to consider and agree to public consultation on the possible introduction of a Public Space Protection Order (PSPO) within the Maesglas area of Newport.

Author Regulatory Services Manager (Environment & Community)

Ward Gaer

Summary A Public Space Protection Order (PSPO) is designed to prevent individuals or groups committing antisocial 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 three possible restrictions that could be included in a PSPO for the area, in addition to the closure of the path.

This report asks the Cabinet Member to agree that public consultation takes place as to possible measures to be included in the PSPO. Approval of a PSPO is delegated to Full Council. Therefore, following public consultation, a draft PSPO will be finalised and presented to Council for consideration and agreement.

Proposal To approve the planned public consultation on the proposed Public Space Protection Order within Maesglas.

Action by: Head of Law & Regulation

Timetable: Immediate

This report was prepared after consultation with:

- Head of Law & Regulation
- Head of Finance
- Head of People and Business Change
- Neighbourhood Manager/ Community Safety Warden Service
- Gwent Police
- Newport City Homes
- Ward Councillors

Signed

1. Background

The Antisocial Behaviour, Crime and Policing Act 2014, commenced in October 2014, and introduced the Public Spaces Protection Order (PSPO).

2. What is a Public Space Protection Order?

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 in 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 upon by the Order.

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. The maximum length of a PSPO is three years, but it can be reviewed at any time.

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.

3. Restrictions

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 antisocial behaviour.

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 (to be fixed locally), or a Level 2 or 3 fine (£500 or £1,000 depending on the specific offence), on prosecution.

4. Appeals against the making 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.

5. What to include in a possible Maesglas PSPO?

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 E**.

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".

The proposed restrictions that we wish to consult on are:

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.

It is proposed that consultation takes place with all affected parties to see whether gating of the path is appropriate.

The positions of the proposed gates are shown on the map included at Appendix F.

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.

Funding for the proposed gating would need to be obtained before the PSPO could be approved.

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 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 24-48 hours.

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 earlier this year. There is evidence of drug misuse in this area too.

6. Essentially the Council needs to consider:

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

7. Enforcement of the PSPO

A PSPO can be enforced by a Police Officer, Police Community Support Officer and delegated Council officers e.g. a Community Safety Warden. However, due the nature of the proposed restrictions- B to D at paragraph 5, enforcement is most likely to be carried out by Police officers.

8. Consultation

It is proposed that a public consultation be commenced for a 4 week period.

The public and partners will be invited to make comment on the proposed control measures set out in paragraph 5 above; whether they have experienced this type of anti-social behaviour or any other category of crime or anti-social behaviour; whether they support the control measures being proposed; or any other measures they would like to see considered; whether they agree the proposed boundary for the PSPO.

Consultation Plan

Consultee	Medium
COUNCIL: Street Scene, Legal, Planning Regen, Community Safety- CCTV/ Wardens/ ASB. (Completed) Strategic Director –Place. Env Health, Licensing Trading Standards, Press Team, Street Scene.	Emails / internal meetings
Cabinet Member- Licensing & Regulatory Functions, CM- Streetscene and City Services. Elected Members of NCC for the Gaer Ward and the neighbouring Wards	
Newport City Homes and other registered social landlords for the area	Email/ meeting
OTHER AGENCIES- Gwent Police- Chief Officer for Newport and the Pillgwenlly Policing Team. South Wales Fire and Rescue.	Email / meeting
Police and Crime Commissioner	Email
Health Board	Email
Businesses in the area	Email / leaflet
All members of the PSB ASB Theme Group	E mail and attend meeting

THE PUBLIC/ Residents/ Local Shop keepers/Maesglas Community Centre (Committee and customers)/Communities First/Flying Start	Through Councillor Ward and Resident meeting/ leaflets Article in Newport Matters. Press release Twitter/ Facebook Web site (with a questionnaire allowing the public to say whether they have been affected by ASB in the area and what they would like to see in a PSPO)
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9. What is the Cabinet Member being asked to do?

1. To consider the embryonic list of potential restrictions and the proposed boundary of the PSPO.
2. Approve the consultation plan.
3. Oversee the consultation process to ensure it is robust, and that the outcomes are taken into consideration in drafting an Order for consideration by Council that would have public support. He would be asked to introduce the PSPO to Council.

10. Approving the Maesglas PSPO

The results of the consultation will be reviewed and a report and draft PSPO produced for consideration. Final approval will be by Full Council.

11. Financial Summary

Funding for the proposed gates has yet to be identified. Otherwise there is no financial impact from this report.

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	Consultation. Listen to all groups that are affected.	Neighbourhood Manager
Council puts in measures that are disproportionate to the problems experienced and are open to legal challenge	H	M	Ensure the evidence is robust and that the measures that are introduced are balanced against the antisocial behaviour experienced and the right level of restrictions to address it. Take legal advice.	Head of Law and Regulation

12. Links to Council Policies and Priorities

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 for the local community.

13. Options Available and considered

- i) To approve the public consultation on the proposed Public Space Protection Order within Maesglas, using the boundary and the consultation questions shown in this report.
- ii) Not to approve the public consultation on the proposed Public Space Protection Order within Maesglas.

14. Preferred Option and Why

To approve the public consultation on the proposed Public Space Protection Order within Maesglas, using the boundary and the consultation questions shown in this report. This will allow the Council to consider the views of Partners and the public, make amendments where necessary and progress a report to Full Council.

15. Comments of Chief Financial Officer

There are no financial implications as a result of this report as it is only seeking permission to begin public consultation on issuing a PSPO for Maesglas.

A funding solution to any investment, be it one-off or on-going such as the gates mentioned in the report, will need to be considered when the results of the consultation are known and a way forward agreed.

16. Comments of Monitoring Officer

The Council has a statutory power under the Anti-Social Behaviour, Crime and Policing Act 2014 to make Public Space 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.

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 introduce any PSPO. However, because of the potential impact of any PSPO within the area of Maesglas, it is suggested that a public engagement exercise should be undertaken. The final decision regarding the adoption of any PSPO is a matter for Full Council.

When considering the need for 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 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.

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 alternatives, and less restrictive ways, of regulating the problems.

In this case, a gating order would appear to be reasonable and proportionate, having regard to the anti-social behaviour associated with the path.

There is a statutory right of appeal to the High Court within 6 weeks if a PSPO is considered to be unreasonable.

17. Comments of Head of People and Business Change

As the data in appendices A, B and C indicate there have been significant rates of anti-social behaviour recorded in the Maesglas area. 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 local communities and it is believed that similar powers could be effective in Maesglas. As a PSPO is, by nature, restrictive it is appropriate to consult with the local community on the specific conditions and this report sets out a framework for doing this.

There are no HR related matters arising directly from this report.

18. Comments of Ward Councillors

Councillor Wilcox:

The ward members have held many meetings with various agencies over the past six months to try and ameliorate the issues that arise from anti-social behaviour within the community. We see a PSPO as a further tool in the box to help us address the growing issues of anti-social behaviour that has developed out a direct consequence of the poverty agenda that is being imposed on our communities by the failed policy of austerity from central government.

Councillor Marshall:

Would it be possible to consider looking at the underpass by Maesglas Close? It is an area where young people if not by the shops congregate.

I otherwise second my Ward Colleague, Cllr Wilcox's comments.

Scrutiny Committees

No consultation with Scrutiny Committees has been undertaken.

Equalities Impact Assessment and the Equalities Act 2010

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

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.

Wellbeing of Future Generations (Wales) Act 2015

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.

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

Comments received from consultation on this report are detailed 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

Dated: 26 January 2018

List of Appendices

Appendix A

Gwent Police- evidence provided in support of the application

Appendix B

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

Appendix C

Newport City Homes- evidence provided in support of the application

Appendix D

Draft public consultation questionnaire questions

Appendix E

Map of the proposed PSPO coverage

Appendix F

Map of the proposed positions of the gates to close the path

Appendix G

Fairness & Equalities Impact Assessment (FEIA)

Appendix D – Draft public consultation questionnaire questions

1. Have you experienced Anti-Social Behaviour in Maesglas in the past 12 months?
 - a. What type of Anti-Social Behaviour?
2. The conditions proposed in the Public Space Protection Order are as follows, please select if you agree or disagree. If you are disagreeing please state your reasons.

Each of the proposed restrictions is then described as set out earlier in the report.

3. Have you been affected by or witnessed Anti-Social Behaviour recently that would be affected by the proposed restrictions? (*Question repeated after each proposed restriction*).
4. It is proposed to gate the path between the rear of the Cardiff Road shops and the first house on Maesglas Avenue (number 1) to close the path at all times. Keys would be provided to those requiring access e.g. to the businesses affected. Do you agree with this proposed restriction?
5. Have you been affected by / witness to any antisocial behaviour or other form of criminality in the path?
6. Is there anything else you would like to see included in the Order?
7. The map below shows the boundary of the area proposed to be covered by the PSPO (shown by the red line). Do you think this proposed area includes the correct streets and areas? If not, do you think the area should be bigger? (please specify which additional streets or areas should be included) or smaller? (please tell us which streets/areas should be excluded). Please give reasons for your answer.

Appendix E - Map of the proposed PSPO coverage



Appendix F - Map of the proposed positions of the gates to close the path



Appendix G

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:** 05/01/2018

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 consultation on a 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.

Initial proposals to go to public consultation are:

- 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 will be targeted by a wide consultation exercise should the Cabinet Member for Licensing & Regulation approve the proposal to consult based on the plan set out in the Cabinet Member report, of which this Assessment is an appendix.

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 this pre-consultation stage, evidence of anti-social behaviour has been provided by Gwent Police, Newport City Homes and the Council's Community Safety team. Council Elected Ward Members have asked for this PSPO to be considered following complaints about anti-social behaviour from local residents. The evidence is provided as appendices to the Cabinet Member report, 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.

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 help eliminate potential harassment/victimisation of families etc. living in the immediate area.</p> <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>

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	
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"/>	<p>The closure of the path is likely to impact on women with mobility problems associated with being heavily pregnant, 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>

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	
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 Cabinet Member report proposes a wide consultation to include:</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 proposal is to consult on a 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 to consult on a proposed Public Spaces Protection Order 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?

The proposal is to consult widely on the proposed PSPO and ensuring this is carried out effectively, along with ensuring that all consultation responses are taken into account, is key.

9. Monitoring, evaluating and reviewing

The results of the consultation may change the detail of the proposed PSPO and they, together with the draft PSPO, will be reported to Full Council.

10. Involvement

This FEIA will form part of the Cabinet Member 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 at this stage. The consultation will seek views from appropriate groups and individuals.

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.