

Report

Council



Part 1

Date: 24 November 2015

Item No:

Subject City Centre Public Space Protection Order

Purpose: To inform the Council of the recommendations of the Scrutiny Committee and of the Council Member- Regulatory Functions for a possible introduction of a Public Space Protection Order for the City Centre.

To ask Council to consider the recommendations and to decide whether to approve one of the two versions of the Order drawn up pursuant to these two sets of recommendations, or just approve an alcohol restriction, or not to approve the Order at all.

Author Public Protection Manager

Ward City Centre- Stow Hill Ward.

Summary A Public Space 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.

Currently there is in existence a city centre designated public place order (DPPO) also known locally as an “alcohol exclusion zone” which restricts the consumption of alcohol to premises covered by a licence under the Licensing Act. We consider it timely to review it now with a view to enacting a new PSPO. We could simply replicate the current alcohol prohibition, but it is a good opportunity to consider what other restrictions might be introduced to combat any other forms of anti-social behaviour deemed “detrimental to the quality of life” and persistent/ continuing in nature in the city centre.

Following a Scrutiny Committee meeting on 4 August, it was agreed to go to public consultation on a number of possible measures that could be included in a city centre PSPO and also to invite the public to suggest other possible measures.

Scrutiny Committee considered a report (Appendix A) on 15 October 2015 which detailed the results of the consultation and heard from Gwent Police. This report details the recommendations of the Scrutiny Committee of 15 October 2015 as to the measures to be included in a possible City Centre PSPO. These recommendations were considered by the Cabinet Member-Regulatory Functions who too makes a recommendation (para 9) to remove

the rough sleeping measure and alter the begging measure to “aggressive/ intimidating” begging.

Following these recommendations, council lawyers have drafted the city centre order - version 1 (Appendix E) and version 2 (Appendix F), along with a new extended boundary at Appendix G.

Proposal: That the Council considers the proposed measures and decides whether to approve the Public Space Protection Order for the City Centre and, if so, on what terms.

Action by Head of Law and Regulation

Timetable Immediate

This report was prepared after consultation with:

- Head of Law and Regulation
- Head of Finance
- Head of People and Business Change
- Strategic Director –Place
- Partnerships Manager
- Anti-Social Behaviour Manager
- Housing Needs Manager
- Cabinet Member Regulatory Functions

1. Background

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

1.2 Dog Control Orders, Gating Orders and Designated Public Place Orders

Local authorities now have the ability to replace these existing Orders with one or more PSPOs. We need to review all such orders in place in Newport by September 2017.

However, this report is solely in relation to the City Centre.

1.3 What is a Public Spaces 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; 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.

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.

1.4 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 anti-social 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 3 fine of up to £1000, on prosecution.

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.

1.5 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?

1.6 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.

1.7 Human Rights Act 1998 / Equalities Issues

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.

A detailed Equalities Impact Assessment is to be found at Appendix D.

2. A City Centre PSPO

Currently there is in existence a city centre designated public place order (alcohol exclusion zone (Map at Appendix E of the Scrutiny report at Appendix A) which was enacted over 12 years ago. It restricts the consumption of alcohol to premises covered by a licence under the Licensing Act.

We consider it timely to review it now with a view to enacting a new PSPO now that major redevelopments and changes are taking place in city centre.

In 2014, there were over 8.55 m “footfalls” in the city centre and hopefully it will become busier in 2016 and beyond as we see an increase in shoppers, leisure users, workers and residents.

2.1 What to include in a City Centre PSPO?

At its meeting on 4 August 2015, the Scrutiny Committee considered the issues and agreed for public consultation to commence on a series of possible measures that could be included in a city centre PSPO.

Restriction	Why
Alcohol consumption	In the city centre alcohol consumption should be contained within the boundaries of licensed premises. People under the influence of alcohol may act in an anti-social manner
Rough Sleeping**	Some rough sleeping in the city centre has led to fires, criminal damage and a proliferation of abandoned drugs paraphernalia.
Begging	This can be intimidating to the public.
Free printed leaflet distribution	Such leaflets are usually dropped leading to an increase in littering which is detrimental to the city centre environment
Dogs not on leads	Loose dogs can be out of control and a danger to the public.
Canvassing of services/ charities direct debits (unless covered by a street collection permit)	This can be intimidating and annoying to the public.
Pavement advertising boards (“A boards”)	Disabled people find these obstacles difficult to negotiate around and their proliferation is detrimental to the city centre environment/ unsightly.
Fly posting	Detrimental to the city centre environment/ unsightly.

Littering and cycling on pavements is already restricted.

Dog Fouling is covered by a current Newport-wide Dog Control Order.

** This measure covers “rough sleeping”, not homelessness. Individuals who are homeless would be entitled to all the requisite support to which they are entitled and would receive support and help from the Council and other charities and agencies to secure accommodation. The measure is intended to apply to individuals who have unreasonably declined accommodation in shelters/ hostels.

3. Consultation

Public consultation ran from 24 August to 5 October 2015 and in addition to possible measures that the committee considered in its August meeting, the public were also invited to suggest other measures and also to comment on the possible boundary of the PSPO: should it be the same as the current order, or be different?

4. Consultation Results

These are to be found in details in the 15 October 2015 Scrutiny report (Appendix A)

Summary In brief – Full details in the Scrutiny report

- 4.1 Gwent Police are in support of a number of measures, especially to control alcohol consumption, rough sleeping and begging and provided evidence. The legislation also requires consultation with the Police and Crime Commissioner. The Commissioner for Gwent has advised he fully supports the implementation of this order, and would ask that rough sleeping and begging be built into the PSPO proposal.
- 4.2 Public consultation: 403 responses were received. The public responses were substantially in favour of all the proposed measures, although the percentages in favour of the restrictions for A boards and for no distribution of free printed material, are not as large.
Wildings Department Store in Commercial St sent in an overview of their problems caused by some rough sleepers.
Comments were also received from the Business Improvement District Board and from Council Housing Needs Team.
- 4.3 **Concern Expressed from other Groups**
During the consultation, there was a great deal of media interest. Concern was expressed through social media and in some of the consultation responses, that the Council was in effect considering criminalising the homeless and destitute, and were particularly critical of the ban on free printed matter, begging and on rough sleeping. Indeed, councils such as Oxford City Council withdrew some of their proposed restrictions, including rough sleeping after receiving a petition from a number of groups. The campaigning group Liberty wrote to the Leader (Appendix C of the 15 Oct Scrutiny report) asking the Council to abandon its plan to introduce such measures, seeing it as “dangerous, disproportionate and potentially unlawful criminalisation of the public on unjustified grounds”.

5. Scrutiny Committee 15/10/15 Recommendations

5.1 Scrutiny was asked to consider the consultation results and based on 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 the Cabinet Member for Regulatory Functions regarding the restrictions that could / should be included in the order and also consider the extent of the PSPO's boundary. The current alcohol exclusion order boundary is at Appendix D to the Scrutiny report. A proposed wider boundary is at Appendix G to this report, which was drawn up pursuant to the incidents of alcohol consumption along the Riverfront, down as far as Castle Bingo, along the Cardiff Rd to the Royal Gwent Hospital and up into Baneswell.

5.2 The Committee heard from representatives of Gwent Police and also from Cllr Jane Mudd in her role as Homelessness Champion, who spoke out against some of the measures, notably rough sleeping. They also had written comments from Cllr Al-Nuaimi (also a Stow Hill Ward Cllr) who was not able to attend the meeting. The Committee made the following recommendations on the measures that ought to be included in a city centre PSPO:

1. No consumption of alcohol outside of areas covered by Licensing Act 2003 premises licences.
2. No approaching people to solicit the selling of services, nor soliciting of payments by direct debit or similar.
3. Dogs to be kept on leads.
4. No flyposting
5. No Begging
6. No rough sleeping, where the offer of accommodation from shelters and hostels has been refused.

5.3 Boundary

The Committee also agreed that the boundary of the PSPO should be extended beyond that of the current Alcohol Exclusion Zone to the boundary as mapped in Appendix G.

Minutes of the 15 October 2015 Scrutiny Committee meeting are at Appendix B.

6. Public Fund Raising Association

6.1 The above Association wrote (Appendix C) to the Council on 21 October, regarding the proposed PSPO measure to effectively prohibit charity fund raising canvassers (by securing direct debit mandates) – after the consultation period had closed and too late to be considered by the Scrutiny Committee on 15 Oct. (Some charities eg Shelter and the NSPCC, whose fund raisers do work in the city centre, were written to as part of the consultation).

The PFRA state that “we acknowledge that instances of poor practice can occur in any sector, the overwhelming majority of fundraisers treat members of the public with respect” and urged the Council instead to enter into a Site Management Agreement, as they had with “over 100” councils to control practices, rather than to jeopardise “what is a vital source of income for local causes”. They state that the use of a PSPO is disproportionate to the harm caused.

6.2 The PFRA says: “This service is free of charge to councils and is approved by both Central Government, the Local Government Association and our partner councils as an effective means of regulating this type of fundraising.” They go on to say that they operate a rulebook which sets out behaviours expected of fundraisers and a financial penalty points system applies to charities and fundraising agencies in cases where these rules are breached. “These rules are enforced by a rigorous system of compliance checks by PFRA staff and an extensive mystery shopping programme, which means on average, members are inspected at least twice a week.” It goes on to say the council’s own staff would be able to issue penalties for poor performance. “Our agreements between charities and local authorities already provide an effective, cost free way for councils to control direct debit fundraising in town centres.”

6.3 The PFRA wrote in again on 13 November to all elected members (second letter at Appendix C). Reminding that “the council should ensure that the proposed measures *are necessary* to prevent the detrimental effect on those in the locality or reduce the likelihood of the detrimental effect continuing, occurring or recurring”: and that the Scrutiny Committee reached its recommendations without considering their initial letter (as the letter came in after the date of that meeting).

The PFRA urges Newport to consider instead establishing an agreement with them as other councils have done “to reduce the detrimental effects that poor direct debit fundraising practice can cause without the need for a PSPO.”

They add: “We are keen to avoid what our members see as a costly and unnecessarily combative process of seeking judicial review. For this reason, we would ask you to carefully review the above points in advance of a decision and consider working with us directly to control direct debit fundraising via a voluntary Site Management Agreement, perhaps on a trial basis, before contemplating a statutory measure.”

6.4 In June, Croydon Council entered into an agreement with the PFRA whereby fundraisers are only allowed to work in certain streets in the town centre and can only work Mondays, Wednesdays and Thursdays.

6.5 Were the Order to include the restriction of (proposed measure 2 (paragraph 10)): “No approaching people in a persistent manner to persuade them to subscribe to a service or to make charitable donations- by direct debit, standing order or similar”, officers would offer to work with the PFRA to help ensure their members complied with the Order.

6.6 Alternatively, consideration could instead be given to removing the relevant proposed Measure 2 and trialling, say for one year, a “voluntary Site Management Agreement” with the PFRA, to see whether such an agreement removes the undesirable conduct of some fundraisers to which the public object. Then, if the agreement fails to curb such conduct, the city centre PSPO could be revised to include that measure.

7. Rough Sleepers

7.1 There are about a 12-16 rough sleepers in the city centre, but it fluctuates as individuals drift in and out of various accommodation, including sofa-surfing. The police report that quite a few of the rough sleepers also beg.

7.2 According to the Wallich (A rough sleeper support service), there around 8 individuals who are entrenched rough sleepers in the city centre with a number of other individuals sleeping rough occasionally, with around 16 – 20 individuals seen each week by the service. Some individuals who sleep rough in the area are not connected to Newport but in the main, they are the ones who tend to be passing through and do not then stay.

8. Support for the Homeless in Newport

- 8.1 The Council wants every person in the city to have a safe place to sleep, every single night and has clear strategies and support in place for those at risk of homelessness, and those already homeless. It is important to note that only a relatively small number of people who are homeless do not have a safe place to sleep, and unfortunately, some choosing to do this instead of sleeping in available accommodation or overnight shelter. The Council wants all its residents to have a safe night's sleep and works with many third sector organisations to help people in difficult circumstances.
- 8.2 Newport already benefits from a service managed by the Wallich, with council funding, which tries to engage directly with those few individuals who are sleeping rough. They provide a tailored service which includes offering practical support, help and guidance.
- 8.3 Another safe alternative to rough sleeping is Newport Night Shelter which provides a warm meal and a friendly welcome as well as providing emergency accommodation to help people off the street during the winter months. During the coldest winter months, a group of Newport churches, with the help of the Council, open their doors to provide this service and welcome in the city's homeless from the streets. The council chairs a multi-agency Homeless Action Group, and has a clear plan of action of how it helps anyone who is found homeless in the city:<http://www.newport.gov.uk/en/Planning-Housing/Housing/Find-a-home/Homelessness.aspx>
- 8.4 If individuals have nowhere safe to stay, the council will do all it can to find them somewhere to stay on a temporary basis whilst the individuals work with the council to find a solution. If the council believes individuals may be eligible, homeless and have an apparent priority need and cannot provide them with a solution in the short or medium term, the council will try to provide temporary accommodation.
- 8.5 The council is legally required to meet the needs of homeless people in the city and is bound by two new Welsh Government Acts: the Housing Act (Wales) 2014 and the Social Services and Wellbeing (Wales) Act 2014. It also works on a daily basis to tackle the challenge of homelessness in the city with organisations best placed to support some of the most vulnerable members of our community, including Solas-Cymru, Llamau, The Wallich and Gwalia Care and Support.
- 8.6 The council understands the diverse range of causes that can be at the root of homelessness and supports the main groups affected including women experiencing domestic abuse, people with mental health issues, vulnerable 16 to 24 year olds, people with physical disabilities, substance misuse and generic support needs. Homeless people often need more than just a roof over their head, and the city has an established record of providing supported housing schemes. This has been developed over the past twelve years, and there are currently approximately 3,200 supported housing units in Newport.
- 8.7 Newport has established a comprehensive Gateway service for all supported accommodation referrals that is fully integrated into the council's homelessness, housing options and common housing register services. Working closely with colleagues in the Housing Needs Unit, three jointly-funded projects have been established to support the work of the Gateway and provide specialist support for troubled families and ex-offenders.

8.8 The council has a published strategy for Supporting People, and is currently refreshing its Local Commissioning Plan. The Supporting People programme in Newport has responded creatively to changes and challenges, re-focussed resources and ensured it continues to provide much-needed and timely support to the most vulnerable people in our community.

9. Recommendation of the Cabinet Member- Regulatory Functions

Community safety/ combating anti-social behaviour comes under the portfolio of this Cabinet Member. He considered the recommendations of Scrutiny Committee, together with the consultation responses, and agreed with some of the measures recommended by Scrutiny, along with the enlarged boundary.

Recognising the success of the Council's current housing and homelessness policies, he does not believe that some of the proposed measures, as they stand, are needed. Using existing anti-social powers, such as Anti- Social Behaviour Injunctions, are more appropriate than an outright ban.

Therefore, he recommends that:

- The "No Begging" measure be changed to: "No person shall beg in a manner which is aggressive or intimidating, or which harasses members of the public."
- The "No rough sleeping" measure be removed from the draft Order."

10. The Proposed City Centre PSPO Measures

10.1 Following the Scrutiny Recommendations

Contained in Version ONE of the Order- Appendix E

1. No consumption of alcohol outside of areas covered by Licensing Act 2003 premises licences.
2. No approaching people in a persistent manner to persuade them to subscribe to a service or to make charitable donations- by direct debit, standing order or similar.
3. Dogs to be kept on leads (of no more than 1.5m in length)
4. No flyposting- no posting of notices etc. without permission of the landowner
5. No begging
6. No rough sleeping, where the offer of accommodation has been unreasonably refused.

10.2 Following the Cabinet Member for Regulatory Functions' Recommendations

Contained in Version TWO of the Order- Appendix F

1. No consumption of alcohol outside of areas covered by Licensing Act 2003 premises licences.
2. No approaching people in a persistent manner to persuade them to subscribe to a service or to make charitable donations- by direct debit, standing order or similar.
3. Dogs to be kept on leads (of no more than 1.5m in length)
4. No flyposting- no posting of notices etc. without permission of the landowner
5. No person shall beg in a manner which is aggressive or intimidating, or which harasses members of the public.

**10.3 Essentially for each measure:
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 and proportionate way of achieving this?

11. Approving the City Centre PSPO

This is matter for full Council to decide.

12. Enforcing the PSPO

This would be the subject of discussion with the Police and Council officers were the PSPO to be approved. 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, with fixed penalties and even prosecution only being considered where advice and warnings had failed.

Consideration could be given to setting up a case management panel as Oxford City Council is doing in respect of their city centre PSPO:

“A case management panel of officers from the police, city council and outreach team meet on a monthly basis to discuss individuals who beg in the city centre. The support needs of each individual are considered including their housing situation, physical and mental health needs. Their offending behaviour is assessed and an appropriate plan put in place to move people off the streets and into accommodation and support. Where engagement with the large number of local support services fails, enforcement action may be taken as determined by the panel. This approach balances the needs of the individual, principally substance misuse, physical and mental health concerns, with the need to tackle anti-social behaviour, respond effectively to complaints from the public and take action against illegal activities.”

13. 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	M	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

14. Equalities Implications

The equalities implications have been considered on the basis of the proposed six measures in the draft order- Version one- in Appendix E.

The EI Assessment is at Appendix D.

This includes mention of a research project conducted in Dec 14 looking at “*Accommodation for Supporting People with Enduring Alcohol Problems*” which included interviews with street drinking population, service providers and public services. The interviews with Newport street drinkers (some of whom rough sleep) sought to explore their previous housing experiences, their views on current housing options in Newport and their thoughts on the development of services in Newport.

It also includes Police statistics as to incidents.

15. Financial Implications

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

16. Options Considered/Available

Option 1

Approve Version ONE City Centre Public Space Protection Order as set out at Appendix E and boundary at Appendix G, as per the Scrutiny Committee’s Recommendations.

Option 2

Approve Version TWO City Centre Public Space Protection Order as set out at Appendix F and boundary at Appendix G, as per the Cabinet Member for Regulatory Functions” Recommendations.

Option 3

Approve the Order BUT to replicate ONLY the existing city centre designated public place order (alcohol exclusion zone) (Measure 1), but extend the boundary to that set out in the map at Appendix G and remit the other proposed measures back for further consideration as to what to include in a future city centre PSPO.

Option 4

Not to approve the Order – neither version ONE Appendix E, nor TWO Appendix F, and remit it back for further consideration as to the measures to be included.

Option 5

Not to approve the Order and do no further work on possible measures for the time being.

17. Preferred Option and Reasons

This is a matter for full council to consider and decide upon the measures to be included in the Order.

However, the Alcohol Restriction has helped to control associated anti-social behaviour in the last 12 years, so at the very least it is recommended that Option 3 be agreed.

18. Legal Comments -Comments of the Monitoring Officer

- 18.1 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.
- 18.2 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 introduce 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 a Scrutiny review. A range of possible measures that could be included within the PSPO were identified by Scrutiny, based on historical complaints, and the Council has carried out a general 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 contained within this Report. Scrutiny Committee have considered the consultation responses and have formulated their recommendations, which are set out in the draft PSPO version 1 (Appendix E). The Cabinet Member for Regulatory Functions is recommending a variation in relation to the proposed controls on begging and the deletion of the prohibition on rough-sleeping, which is set out in the draft PSPO Version 2 (Appendix F). The final decision regarding the adoption of any PSPO is a matter for full Council.
- 18.3 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 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 Equality Impact Assessment is attached to this Report.
- 18.4 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.
- 18.5 There is a statutory right of appeal to the High Court within 6 weeks if a PSPO is considered to be unreasonable.

19. Comments from Head of People and Business Change

The report asks Council to make a decision on the implementation, or not, of a new Public Space 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 Single Integrated Plan. Clearly, resolving some of the issues affecting the city centre can be contentious as these issues are complex in nature. Any PSPO should be 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.

20. Comments of the Head of Finance

There are no direct financial implications coming from this report – the implementation of the City Centre Public Space Protection Order will have to be completed within the available budgets as stated within the report.

Consultation

Consultation is detailed in the Scrutiny Report at Appendix A. Further consultation took place as part of the preparation for the Equalities Impact Assessment – Appendix D, with the Police, Public Health Wales, the Council's Partnership Team, the Supporting People Team and the Homeless Needs Team.

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

Scrutiny Report and minutes 4 August 215

Appendix A- Scrutiny Report and Appendix B -minutes 15 October 2015

Appendices

A: Scrutiny Report 15 October 2015

B: Scrutiny Report -minutes 15 October 2015

C: Letters of 19/10/15 and 13/11/15 from the Public Fundraisers' Association

D: Equalities Impact Assessment

E: Proposed City Centre Public Space Protection Order Version 1- Following the Scrutiny Committee's recommendations

F: Proposed City Centre Public Space Protection Order Version 2- Following the Cabinet Member for Regulatory Functions' recommendations

G: Map of boundary to the proposed City Centre Public Space Protection Order

Appendix A

Appendix: report to the Street Scene, Regeneration and Safety Scrutiny Committee

Part 1

15 October 2015

Subject City Centre Public Space Protection Order

Purpose To inform the Scrutiny Committee of the results of the consultation for a possible introduction of a Public Space Protection Order for the City Centre. To ask the Committee to make recommendations to the Cabinet Member-Regulatory Functions as to possible measures to be included in such an Order and its boundary.

Author Public Protection Manager

Ward City Centre- Stow Hill Ward.

Summary A Public Space 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.

Currently there is in existence a city centre designated public place order (DPPO) also known locally as an "alcohol exclusion zone" which restricts the consumption of alcohol to premises covered by a licence under the Licensing Act. We consider it timely to review it now with a view to enacting a new PSPO in time for the opening of the Friars Walk retail development in November 2015. We could simply replicate the current alcohol prohibition, but it is a good opportunity to consider what other restrictions might be introduced to combat any other forms of anti-social behaviour deemed "detrimental to the quality of life" and persistent/ continuing in nature in the city centre.

Following a Scrutiny Committee meeting on 4 August it was agreed to go out to public consultation on a number of possible measures that could be included in a city centre PSPO and also to invite the public to suggest other possible measures.

This report details the results of that consultation and asks the Committee to make recommendations to the Cabinet Member as to possible measures to be included in the PSPO.

Action by Scrutiny:

Consider the results of the public consultation and hear from Council officers and officers from Gwent Police/ South Wales Fire and Rescue.

Then make recommendations to the Cabinet Member as which measures to include in a possible city centre PSPO and also its possible boundary.

1. Background

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

1.2 Dog Control Orders, Gating Orders and Designated Public Place Orders

Local authorities now have the ability to replace these existing Orders with one or more PSPOs. We need to review all such orders in place in Newport by September 2017.

However, this report is solely in relation to the City Centre.

1.3 What is a Public Spaces 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 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.

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.

1.4 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 anti-social 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 3 fine of up to £1000, on prosecution.

1.5 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.

2. A City Centre PSPO

Currently there is in existence a city centre designated public place order (alcohol exclusion zone, see map at Appendix E) which was enacted over 10 years ago. It restricts the consumption of alcohol to premises covered by a licence under the Licensing Act. We consider it timely to review it now with a view to enacting a new PSPO in time (or as near as possible) for the opening of the Friars Walk retail development in November 2015.

2.1 What to include in a City Centre PSPO?

At its meeting on 4 August, the Scrutiny Committee considered the issues and agreed for public consultation to commence on a series of possible measures that could be included in a city centre PSPO.

Restriction	Why
Alcohol consumption	In the city centre alcohol consumption should be contained within the boundaries of licensed premises. People under the influence of alcohol may act in an anti-social manner
Rough Sleeping	Some rough sleeping in the city centre has led to fires, criminal damage and a proliferation of abandoned drugs paraphernalia.
Begging	This can be intimidating to the public.
Free printed leaflet distribution	Such leaflets are usually dropped leading to an increase in littering which is detrimental to the city centre environment
Dogs not on leads	Loose dogs can be out of control and a danger to the public.
Canvassing of services/ charities direct debits (unless covered by a street collection permit)	This can be intimidating and annoying to the public.
Pavement advertising boards ("A boards")	Disabled people find these obstacles difficult to negotiate around and their proliferation is detrimental to the city centre environment/ unsightly.
Fly posting	Detrimental to the city centre environment/ unsightly

Littering and cycling on pavements is already restricted.

Dog Fouling is covered by a current Newport-wide Dog Control Order.

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?

3. Consultation

Public consultation ran from 24 August to 5 October 2015 and in addition to possible measures that the committee considered in its August meeting, the public were also invited to suggest other measures and also to comment on the possible boundary of the PSPO: should it be the same as the current order, or be different?

Public Place Protection Order- City Centre- Consultation Plan Sept / October 2015

Consultee	Medium
COUNCIL: Street Scene, Legal, Planning Regen, Env Health, Licensing Trading Standards, Community Safety- CCTV/ Wardens/ ASB, press team, Strategic Director -Place	Emails / internal meetings
Cabinet Member- Regulatory Functions, CM- Streetscene and City Services, Deputy Leader.	

Chair of Licensing, Stow Hill Ward Cllrs, Street Scene Scrutiny Committee.	
Councillors	Email
OTHER AGENCIES- Gwent Police- Licensing and city centre team South Wales Fire and Rescue	Email / meeting
Police and Crime Commissioner	Email
Health Board	Email
THE TRADE- Business Crime Reduction Group	Email
Pubs and clubs	Attended Pub watch meeting
City Centre Business Improvement District	Meeting with the BID reps/ Newsletter disseminated to all businesses in the BID Printed copies of the questionnaire in the BID offices, Skinner St
Taxi trade	Letter to operators/Taxi reps
Shelter and NSPCC	Email
Accident lawyers –stand in city centre	Paper copy
THE PUBLIC	Article in Newport Matters. Press release Twitter/ Facebook Web site (with a questionnaire allowing the public to vote for what they would like to see in a PCPO and to add other measures to the above list). Printed copies in the Information Station

4. Consultation Results

4.1 Appendix A:

Gwent Police are in support of a number of measures, especially to control alcohol, rough sleeping and begging and have provided evidence (Appendix A).

The legislation requires us to consult with the Police and Crime Commissioner. The Commissioner for Gwent has advised he fully supports the implementation of this order, and would ask that vagrancy and begging be built into the PSPO proposal.

4.2 Appendix B

A detailed collation of the public consultation: 403 responses were received.

The public responses are in favour of all the proposed measures, although the percentages in favour of the restrictions for A boards and for no distribution of free printed material, are not as large.

4.3 Appendix C

Wildings Department Store in Commercial St sent in an overview of their problems caused by some rough sleepers.

4.4 Other Comments

4.4.1 Comments from Newport Now- the Business Improvement District Board

“The Board is in support of the majority of measures, but some members had concerns regarding the A Board proposal and that of leafleting. They would like to see viable alternatives proposed, taking into account suggestions from businesses, before these measure were implemented. They would also encourage the Council to work closely with charities, and other relevant bodies, to tackle issues of homelessness.”

4.4.2 Comments from Council Housing Needs Team

“There is a Rough Sleepers Intervention Team managed by the Wallich try to engage with individuals who are sleeping rough and they will provide a service to those individuals sleeping rough which includes offering practical support, help and guidance. The service links to the statutory services provided by the Council and where individuals engage, every effort is made to jointly find a solution to the presenting issues which will include accessing accommodation. The problem is very much that some individuals do not wish to engage with the Council and as such we are limited in what we can do until this changes. There will also be individuals who are excluded from some services owing to their past/current conduct and behaviour. Options are then even more limited for these individuals and whilst efforts are made to seek solutions, this again does come down to the level of engagement between the individuals and services.”

5.

The Measures listed below are the ones Scrutiny agreed to consult up on, but it is not an exhaustive list and Scrutiny is welcome to consider others.

Measures
Alcohol consumption
Rough Sleeping (with no accommodation to go to). **
Begging **
Dogs not on leads
Canvassing of services/ charities direct debits (unless covered by a street collection permit)***
Fly posting
A Boards ****
Free printed Material *****

Notes on the above proposed measures

** Re Rough Sleeping and Begging

“It should be made clear that this proposed restriction, were it to be included in the PSPO, would only apply to those individuals who were rough sleeping and who had declined accommodation in hostels/ shelters. Anyone who is homeless would receive the support to which they are entitled and would not be subject to the PSPO.

At the start of the consultation, there was concern expressed that the Council was in effect considering criminalising the homeless and destitute. Indeed, Councils such as Oxford City Council withdrew their proposed restrictions after receiving a petition from a number of groups. Liberty has recently written to the Leader (Appendix D) asking the Council to abandon its plan to introduce such measures, seeing it as “dangerous, disproportionate and potentially unlawful criminalisation of the public on unjustified grounds”.

***Re. Canvassing of services/ charities direct debits

An alternative to an outright restriction could be that permission would first have to be obtained in advance from the Council and could include a payment of a fee.

**** A Boards

An alternative to an outright restriction, could be to restrict the location of boards so that they can only be positioned directly abutting the premises they advertise.

***** Re. Free printed Material

An alternative to an outright restriction could be: no handing out of free material: allowing as an alternative for leaflets to be part of a display, where the public could help themselves. Or, the restriction could only apply to those of a commercial nature i.e. prohibiting those leaflets advertising the sale of goods or services.

6. What is Scrutiny being asked to do?

1. Consider the consultation results, what other city centres have done by way of PSPOs and consider interviewing NCC officers and partners eg Gwent Police.

Essentially the Council needs to consider:

4. Is there a specific problem caused by particular activities?
 5. If so, what needs to be done to regulate or control the problem?
 6. What is the least restrictive way of achieving this?
2. Make recommendations to the Cabinet Member for Regulatory Functions regarding the restrictions that could / should be included in the order.
 3. Also of the extent of the PSPO's boundary. The current boundary is at Appendix E. A proposed wider boundary is at Appendix F

7. Approving the City Centre PSPO

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

8. 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.	Public Protection Manager
Council puts in measures that are disproportionate to the problems experienced / open to legal challenge	H	M	Ensure the evidence is robust and that the measures that are introduced are balanced against the anti social behaviour experienced and the right level of restrictions to address it. Take legal advice.	Head of Law and Regulation

9. Financial Implications

The cost of consulting on and implementing the PSPO will be funded through existing budgets.

10. Links to Council Policies and Priorities

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

Newport City Council's Corporate Plan "Standing Up for Newport" 2012-2017 (Relevant priorities: "A Greener & Healthier City"; "A Safer City").

One Newport Single Integrated Plan "Feeling Good About Newport." Safe and Cohesive Communities, City Centre.

11. Legal Comments -Comments of the Monitoring Officer

- 11.1 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.
- 11.2 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 introduce any PSPO. However, because of the potential impact of any PSPO within the City Centre, it has been agreed that a wider consultation and public engagement exercise should be undertaken as part of a Scrutiny review. A range of possible measures that could be included within the PSPO were identified by Scrutiny, based on historical complaints, and the Council has carried out a general 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 attached to this Report. Scrutiny Committee is now required to have regard to those comments and responses and formulate their recommendations to the Cabinet Member for Regulatory Functions and Council. The final decision regarding the adoption of any PSPO is a matter for full Council.
- 11.3 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 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.
- 11.4 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.
- 11.5 There is a statutory right of appeal to the High Court within 6 weeks if a PSPO is considered to be unreasonable.
A council lawyer will be present at the meeting to cover any legal queries or issues that arise.

12. Comments from Head of People and Business Change

The report to Scrutiny asks the Committee to consider the results of initial consultation undertaken to inform the development of a PSPO for the city centre. As such there are no specific staffing implications. The development of the city centre for the benefit of all Newport residents is a priority of the Council and partners and expressed within the Single Integrated Plan. Clearly, resolving some of the issues affecting the city centre can be contentious as these issues are complex in nature. Any PSPO should be seen in the context of other, preventative work, currently being undertaken with individuals, families and communities within Newport. Prior to any PSPO being considered by Council a

Fairness and Equality Impact Assessment will need to be undertaken to ensure any action is not disproportionately impacting 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.

13. 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

Appendix A Evidence From Gwent Police

PUBLIC SPACES PROTECTION ORDER FOR NEWPORT CITY CENTRE 2015

REPORT OF PC LEANNE POLE

Since the beginning of 2015, one particular issue which has been brought to my attention is the presence of homeless persons living on the town centre is it in car parks / to the rear of buildings and shops and the issues it's causing to residents / commuters / retailers and workers within the city centre itself.

Added to this the amount of persons who are begging on the town centre, intimidating shoppers and those attempting to withdraw money from cashpoints. Some visitors have had verbal abuse shouted at them and a number have felt so intimidated that they have called the police.

These same persons are using the money to not only purchase drugs but alcohol which they are openly drinking within the Alcohol Exclusion Zone.

Initially, at the beginning of 2015, it was noticed that some of these persons were living under the Old Green roundabout. Some were in tents and others just on mattresses. There was a great amount of rubbish in this area outside the tents. The tents were in full view of passing motorists and within spitting distance of the new shopping centre in the city centre.

Commuters to the city centre were contacting police in order to make complaints.

Some of the information they provided was:

"I was on my way to work and stuck in traffic by the speed camera and traffic lights. I was stopped at the lights next to where the homeless people are living in their tents. There were males shouting at the persons in the tents and they were all standing by the road edge. One homeless man was shouting back. No one was getting involved and I felt really uncomfortable. I couldn't go anywhere. I didn't know if they were going to step out into the road or what was going to happen next. Although, I feel sorry for people, it's an eyesore when you come into town"

Another stated

"It's really unhygienic. They are using it as a toilet. There's rubbish everywhere. It's not on. It's putting me off coming into town. It's getting worse. I'm worried that if people are getting used to it. It will become normal. The council are spending millions on trying to make Newport look better but then you have to pass this lot to get into Newport. It's wasting money"

Local businesses have informed us:

1: *“they’re camping in the car park to the rear of my business. There are needles there, spoons. They’re setting up camp there. They’re threatening and intimidating to my customers. It’s not a good advert. They hang around during the day on the town shouting and swearing.”*

2: *“we are having issues with homeless persons setting up home to the rear of our office. We use our fire escape entrance on a regular basis throughout the day but it’s really intimidating as we don’t know who’s going to be behind the fire door when we open it. We have to keep it permanently shut as well. However, homeless people have set up home there with mattresses. They have their clothes hung up there also. They’re using it as a toilet, and it stinks. There are mouldy coffee cups strewn everywhere with needles in them as well as burnt spoons where they are obviously using drugs. Rubbish is thrown everywhere in the back yard. We can’t clean it up as there’s needles. We don’t know who’s there, whether they are violent, how they will react if they’ve just “jacked up”.*

3: *“I’ve witnessed a female removing her jeans and underwear and injecting drugs in to her groin whilst the males also injected drugs. I was disgusted at the behaviour and the fact that members of the public were walking past on the street and could see what was happening. I felt compelled to tell the police about what I had seen but I’m not willing to provide a statement for fear of reprisals in the form of damage to my vehicle”*

Others have reported that they have themselves on a daily basis had to clean up used needles, and human excrement and general litter from outside their premises before opening up for the day. They have seen these persons living outside their property and throwing rubbish down into their basement area through their window when they are working into the evening.

Since the beginning of 2015, we have received over 170 calls in relation to begging / rough sleeping / injecting of drugs or drinking on the town centre.

We have also seen an increase in robbery. A lot of these robberies are no longer being attributed to known persons who usually commit them as their usual offence but by the homeless persons on the city centre. Rather than resorting to causing annoyance to persons using the city centre, they have now started to progress to committing robbery on innocent shoppers / workers. We have in the past couple of months, arrested and dealt with our well known homeless persons for these incidents.

At this moment in time, we currently have between 15-17 homeless persons on the town centre that are prolific and well known by all officers / council CCTV and wardens as they are in contact with them on a regular basis.

Since January 2015, there have been 24 arrests of those either sleeping rough / begging on the town centre / causing anti-social behaviour. Some of these arrests have led to custodial sentences being issued by the court

CSOs on patrol have witnessed the following behaviour from these persons:

- Aggressive begging and targeting elderly persons
- They regularly locate drug paraphernalia including uncapped needles and syringes
- Roller shutters on buildings and doors forced open on derelict buildings. These buildings which have been secured on numerous occasions.

Two ASBOs were granted in March on the 2 most prolific beggars on the town who are also homeless males. Between them, they have been involved in over 68 incidents in relation to begging in the town centre and associated disorder they were involved in whilst involved in this activity. A third male has just been released from prison due to being again arrested for begging on the town centre. This male has been involved in 53 incidents.

Legislation under the Vagrancy Act has been used also in order to take positive action against those sleeping in doorways on the town centre. 4 others have been granted ASBIS as a result of their drunken behaviour on the town centre with others currently in the pipeline

They are causing a health hazard with the rubbish they leave behind including used needles. They have been seen to urinate and defecate in these areas also. The clean-up process is expensive to the council but necessary.

Some are so intimidated that they feel forced into giving money to these people in order to be able to enter their place of work safely and without issue. They then do this at the end of the working day. They prefer to leave work in pairs rather than alone due to feeling threatened and intimidated by these people.

Despite all the evidence gathered, it may not show a true reflection of the amount of issues that we have on the town centre due to people not wanting to call it in to report it. A lot of persons feel intimidated and afraid.

The primary concern in requesting this order should be the safety of the innocent people who live or work in the City Centre area of Newport.

Newport city council is spending £1mls on improving the look and facilities of Newport and attracting people to the city centre. However this could all be put into jeopardy with people being put off visiting should this issue be allowed to persist? Businesses will leave if they feel that staff don't feel safe working in their premise, people will refuse to visit and spend time and money in its many shops if they feel that they are being asked for money on every corner.

IN THE NEWPORT (GWENT) COUNTY COURT

NEWPORT CITY COUNCIL & GWENT POLICE

STATEMENT OF PC LEANNE POLE Dated: 08/07/15

- 1: I am PC 2022 Leanne Pole of Gwent Police currently based at Central Station in Newport as the Crime and Disorder Reduction Officer for the Central section. My role includes identifying repeat call locations, victims and offenders of crime and anti-social behaviour, identifying the causes and developing sustainable solutions. I also monitor persistent offenders whose behaviour impacts on the quality of life of the general public within the Newport Area, more specifically the Central areas of Newport which includes Newport Town Centre and Stow Hill ward. One issue which has been brought to my attention over the past couple of months is the presence of homeless persons living on the town centre is it in car parks / to the rear of buildings and shops and the issues it's causing to residents / commuters / retailers and workers within the city centre itself. Added to this the amount of persons who are begging on the town centre, intimidating shoppers and those attempting to withdraw money from cashpoints. Some visitors have had verbal abuse shouted at them and a number have felt so intimidated that they have called the police. These same persons are using the money to not only purchase drugs but alcohol which they are openly drinking within the Alcohol Exclusion Zone.
- 2: At the beginning of 2015, it was noticed that some of these persons were living under the Old Green roundabout. Some were in tents and others just on mattresses. There was a great amount of rubbish in this area outside the tents. The tents were in full

view of passing motorists and within spitting distance of the new shopping centre in the city centre.

- 3: At this time, we were receiving a number of complaints from persons who were contacting police in relation to it. **They informed us of the following:**
- 1: *I was on my way to work and stuck in traffic by the speed camera and traffic lights. I was stopped right next to where the homeless people are living in their tents. There were males shouting at the persons in the tents and they were all standing by the road edge. One homeless man was shouting back. No one was getting involved and I felt really uncomfortable. I couldn't go anywhere. I didn't know if they were going to step out into the road or what was going to happen next. Although I feel sorry for people, it's an eyesore when you come into town*
 - 2: *you can't deny that crime is on the up. They are using crime in order to get spending money. The area where they are living under the road is really unhygienic. They are using it as a toilet. There's rubbish everywhere. It's not on. It's putting me off coming into town. It started off with one tent and now there are 4. It's getting worse. I'm worried that if people are getting used to it. It will become normal. The council are spending millions on trying to make Newport look better but then you have to pass this lot to get into Newport. Its wasting money*
- 4: in recent weeks, however, it would appear that the tents have now disappeared from the Old Green. However we are receiving more calls in recent weeks from businesses on the town centre who are complaining about the homeless living around their buildings.
- 1: *they're camping in the car park to the rear of my business. There are needles there, spoons. They're setting up camp there. They're threatening and intimidating to my customers. It's not a good advert. They hang around during the day on the town shouting and swearing. It's going to be even worse in the summer with the warmer days. It's going to stink*
 - 2: *we are having issues with homeless persons setting up home to the rear of our office. I work in an office which is all female. I'm quite sturdy and hardy however a lot of the employees are young females. We use our fire escape entrance on a regular basis throughout the day but it's really intimidating as we don't know who's going to be behind the fire door when we open it. We have to keep it permanently shut as well. At the back of our office, we have a long path and then the fire escape. We have a basement area which has another part which goes underneath the back path. There's a gate to this part. However, homeless people have set up home there with mattresses. They have their clothes hung up there also. They're using it as a toilet, and it stinks. There are mouldy coffee cups strewn everywhere with needles in them as well as burnt spoons where they are obviously using drugs. Rubbish is thrown everywhere in the back yard. We can't clean it up as there's needles. We don't know who's there, whether they are violent, how they will react if they've just "jacked up". PCSOs keep moving them on for us, but they keep coming back. We can put a padlock on the sheltered bit but there's nothing we can do about the rest of the back of the building. They've broken the fire door onto Stow hill so they can come and go as they please.*
- 5: Calls received in relation to homeless persons on the town centre since the beginning of 2015, have been
- LOGS 276 / 277 / 278 / 279 OF 7/7/15 THE LAMB P/H BRIDGE STREET

Numerous calls in relation to two known homeless males fighting outside the pub. Officers attend and they are no longer fighting. Neither would inform the officers of what had been happening. Both sent on their way

LOG 594 OF 4/7/15 TESCO EXPRESS CAMBRIAN ROAD

Caller reporting a beggar outside the cashpoint by the shop and asking for money.

When the caller declined, he shouted abuse at her.

LOG 291 OF 3/7/15 QUEENSWAY

A male is arrested for begging by the train station

LOG 212 OF 3/7/15 NEWPORT RAILWAY STATION

Caller reporting that a sleepover will be taking place in support of Newport homeless.

A small group was located by the riverside but didn't cause any issues

LOG 505 OF 2/7/15 SCHOOL LANE CHARLES STREET

Caller reporting that afternoon, she asked a girl for directions and she took her up stow hill and down the lane at the side of the church. She then threw the caller against the wall and said "give me your f***ing money or ill stab you ". The caller handed the female £15. The female offender is a well-known homeless person on the town centre and is being dealt with in relation to robbery

LOG 256 OF 30/6/15 CASH GENERATOR

Caller reporting two males arguing outside the shop. Two well-known homeless males on the town. They went their own way.

LOG 195 OF 27/6/15 SUBWAY OLD GREEN CROSSING

Officers arrest a male for begging in the underpass at the old green

LOG 542 OF 25/6/15 CHURCH HALL STOW HILL

Caller reporting that two males are in the doorway of the church injecting heroin.

LOG 83 OF 24/6/15 EAST STREET

Caller reporting drugs paraphernalia by the electricity box in the car park .council contacted to remove

LOG 477 OF 23/6/15 SALVATION ARMY HILL STREET

Caller reporting 2 persons taking drugs at the back of the property opposite the sally army. One male is arrested for breach of court order

LOG 374 OF 23/6/15 BRIDGE STREET

Caller reporting males injecting themselves outside the old fire and ice nightclub. One is passed out on the steps. These males are well known homeless persons who are stop searched

LOG 144 OF 21/6/15 CAR PARK CORN EXCHANGE HIGH ST

Caller reporting 2 homeless persons sleeping in the car park. They have been asked twice to move but they refused telling the worker "b***er off of we'll sort you out "

LOG 601 OF 20/6/15 CAMBRIAN ROAD

CCTV reporting well known homeless male begging. He has an ASBO not to beg.

LOG 600 OF 20/6/15 BRIDGE STREET

Caller from CCTV reporting beggars. They've been asked to move but won't.

LOG 234 OF 20/6/15 COMMERCIAL STREET

Caller reporting drunks outside her shop and that members of the public have come in and asked them to call police to get them moved

LOG 229 OF 20/6/15 COMMERCIAL STREET

Call from a kiosk asking for police. Caller reports that two persons have asked him for money and that he was intimidated.

LOG 91 of 19/6/15 BRIDGE STREET

Caller reporting a well-known homeless male with an ASBO is begging on the town.

LOG 283 OF 18/6/15 BANESWELL ROAD

Caller reporting a male outside who is drunk and begging people for money. The male had done the same thing the day before. He is moved on from the area.

LOG 79 OF 18/6/15 VICTORIA PLACE

Caller reporting a rough sleeper in the area who has dragged a mattress into the bin area behind the houses and is sleeping there. Police had moved him on a few days previously.

LOG 346 OF 17/6/15 BANESWELL ROAD

Caller reporting a male sat against nuttall parkers begging for money.

LOG 404 OF 17/6/16 NEWPORT RAILWAY STATION

Caller reporting that there is a male begging for money outside the train station and that when people refuse, he becomes aggressive. Another male seems to be with him and when cars are slowing down in traffic, one of them is tapping on their windows.

LOG 424 OF 16/6/15 EMLYN WALK KINGSWAY CENTRE

Caller reporting that there are a number of males on the street smoking legal highs and aggressively begging from members of the public.

LOG 312 OF 16/6/15 STOW HILL

Caller reporting that two persons are in the back garden by the bethel church injecting heroin.

LOG 294 OF 14/6/15 COMMERCIAL STREET

Officers locate a well-known homeless person with an ASBO begging on the town.

This male is from the Abergavenny area. He is arrested

LOG 221 OF 14/6/15 NCP CAR PARK HIGH STREET

Staff reporting that a homeless person has gone up the stair well. He goes in every day to mix up and inject his drugs. Asking for police to attend to assist him.

LOG 512 OF 12/6/15 CAMBRIAN ROAD

Caller reporting 5 males approaching people for money.

LOG 385 OF 10/6/15 HIGH STREET

Caller reporting that a well-known homeless person has snatched a £10 note from him in the local pub and has run out of the back of the Greyhound pub.

LOG 142 OF 4/6/15 CARPARK NORTH STREET

Caller reporting needles and drug paraphernalia left at the rear of the car park behind escapades.

LOG 243 OF 3/6/15 COMMERCIAL STREET

Caller from the big issue reporting that there is a male on the town selling old magazines of the big issue and that when she told him he couldn't do it, he refused to give them back to her and threatened to kill her. She didn't know his name as he's not an official seller. This male is a well-known town drunk. He is arrested.

LOG 161 OF 2/6/15 KINGSWAY

Caller reporting 3 intoxicated persons in the bus stop and one seemed to have been wetting herself. Caller states that a couple of passers-by looked intimidated by them.

LOG 429 OF 1/6/15 RIVERFRONT BRISTOL PACKET WHARF

Caller reporting an intoxicated male at the rear of the theatre and that theatre goers with their children are complaining. When people go past, he sits up and starts shouting at them.

LOG 234 OF 31/5/15 BRIDGE STREET

Caller reporting beggars on the town harassing people and getting stroppy when people refuse to give them money.

LOG 39 OF 28/5/15 EMLYN WALK KINGSWAY CENTRE

Caller reporting a drunk homeless male on the service road who keeps falling about and shouting to himself.

LOG 79 OF 28/5/15 COMMERCIAL STREET

Building inspector for Melin homes attends a property to do an inspection and locates a homeless person sleeping in the communal area. The front door and frame has been removed. The male who is known to police is moved on.

LOG 318 OF 22/5/15 PARK SQUARE.

Caller reporting a male in the underpass who is either drunk or drugged as he's staggering about. Well known homeless male from Abergavenny is moved on.

LOG 245 OF 22/5/15 BRIDGE STREET

Caller reporting a male who appears to be unconscious. Possible overdose.

LOG 194 OF 21/5/15 NCP HIGH STREET

Officers locate a male on level 7 who appears to be on drugs.

LOG 401 OF 20/5/15 TESCO EXPRESS CAMBRIAN ROAD

Caller reporting begging outside the store.

LOG 419 OF 18/5/15 NORTH ST

Well known homeless female is arrested due to breaking her bail conditions not to sleep rough in the open air and breach of peace.

LOG 18/5/15 TRAIN STATION QUEENSWAY

Caller reporting that her son had money taken off him across from the train station.

The female asked him for money and when he took out his wallet, she took it from him leaving him with no money or train ticket to get home. The victim suffers with Asperger's and was distressed and now won't leave the house. The description of the female is that of a well-known homeless female on the town. This female is also known to staff at the railway station and they state that she's a regular beggar outside the station.

LOG 427 OF 15/5/15 BRIDGE STREET

CCTV reporting 2 known males are begging on the town.

LOG 425 OF 15/5/15 UPPER DOCK STREET

Caller reporting a homeless male pulling a needle out of his foot. His foot has a bandage wrapped around it. Officers located the male who said that he was checking a rash out on his leg.

LOG 114 OF 14/5/15 RIVER ISLAND COMMERCIAL STREET

Staff reporting that persons are sleeping in the waste bin behind River Island. There are used syringes on the floor. There are used needles around the bin on the floor.

LOG 353 OF 13/5/15 MILLENIUM FOOTBRIDGE USK WAY

Caller reporting beggars on the footbridge to the rear of the leisure centre.

LOG 84 OF 13/5/15 RIVER ISLAND COMMERCIAL STREET

Staff reporting persons sleeping rough at the rear of the store and have left their drug paraphernalia and begging on top of the bins.

LOG 205 OF 11/5/15 RIVER ISLAND COMMERCIAL STREET

Staff reporting that homeless persons are at the back of the store snorting something off the top of a bin. They are often seen drinking around the town centre. They have been using the back of the shop to sleep and have tarpaulins and mattresses there and are causing a nuisance by being in the fire exit

LOG 136 OF 5/5/15 HIGH STREET NEWPORT

Caller reporting that a small female was walking up and down the street the day before, asking people for money. The caller had bought her a burger from McDonalds but the female asked for more money so that she could buy food from Ads. The caller didn't give it to her as she believed the money would be used for drugs

LOG 137 OF 3/5/15 SUPERTUNES LOWER DOCK STREET

CCTV reporting that 7 males have gone into disused building and that they are using drugs within.

LOG 494 OF 29/4/15 FLORENCE CLUB STOW HILL

Caller reporting that there is a burnt out club on stow hill and that there are people sleeping rough at the front of the building.

LOG 350 OF 25/4/15 LLANARTH STREET NEWPORT

Caller reporting a group of males drunk and loitering outside the Bighthouse store and that they are there every weekend. They all have bottles of alcohol and are drinking and intimidating customers and staff.

LOG 134 OF 25/4/15 CAMBRIAN ROAD

Call from CCTV that a male is begging on the town by Tesco. He has an ASBO. The male is arrested for breach of ASBO

LOG 216 OF 23/4/15 USK WAY

Caller reporting a number of "drunks" by the river being rowdy and threatening to smash cars up

LOG 155 OF 23/4/15 SERPENTINE ROAD

Caller reporting a male staggering drunk in the road. This male turns out to be one of our homeless males in relation to the ABSOs on the town centre. This male is actually blue and CPR is given by officers in order to get him breathing. He had taken an overdose.

LOG 378 OF 22/4/15 BANESWELL ROAD

Local business calls to state that intoxicated homeless people are on the corner of Bailey Street. One is lying in the road and is on the floor. There is an empty lambrusco bottle with them. A second member of the public also rings this in

LOG 92 OF 22/4/15 COMMERCIAL STREET

Local business reporting "tramps" in their entrance again to the building. They are sleeping in the doorway

LOG 207 OF 21/4/15 BOOTS COMMERCIAL STREET

Worker of the store reporting that "tramps" are sleeping to the rear of their building and that there are used needles and food waste with them.

LOG 47 OF 21/4/15 WESTGATE CHAMBERS

Business owner reporting two males trying to break into the rear of their property. These persons are known as local homeless persons.

LOG 430 OF 20/4/15 ESCAPADE STOW HILL

CCTV reporting males in the doorway of the derelict building and one is injecting himself. These males are the males currently on ASBO

LOG 322 OF 21/4/15 NATWEST BANK HIGH STREET

Male is seen by CCTV begging outside the bank

LOG 244 OF 20/4/15 STOW HILL

Local business owner reporting that a derelict building next door is being used by local homeless persons to sleep in. (doorway) they are lighting fires in there and using it as a toilet. There are used needles there as well as human waste and rubbish

LOG 252 OF 18/4/15 COMMERCIAL STREET

Section 35 warning is issued to male on the town.

LOG 436 OF 17/4/15 HIGH STREET

Section 35 is issued to male on the street for alcohol on the town.

LOG 91 OF 16/4/15 NATWEST BANK HIGH STREET

Local business manager contacts police stating that a local homeless male is begging with his dog outside the bank

LOG 100 OF 14/4/15 NATWEST BANK HIGH STREET

Workers at the bank reporting 2 homeless persons sat outside the bank by the cashpoint bothering customers asking them for money

LOG 294 OF 11/4/15 OLD GREEN ROUNDABOUT

Male is arrested for begging

LOG 549 OF 7/4/15 OLD GREEN ROUNDABOUT

Caller reporting that two males are fighting underneath the roundabout by the camera. These persons are sleeping in tents underneath the roundabout

LOG 384 OF 6/4/15 KINGSWAY

Caller reporting a large group of males drinking. They are under the old green roundabout with tents.

LOG 50 OF 27/3/15 EMLYN STREET

Local worker reporting that 2 males have gone into a disused pub. One is keeping a lookout. He is watching on CCTV. Homeless persons are using an abandoned building and its being used for drug taking

LOG 304 OF 27/3/15 WESTGATE SQUARE

Male is detained for begging

LOG 187 OF 26/3/15 SUPERTUNES LOWER DOCK STREET

Caller from the Dolman Theatre reporting males have climbed over the fence going into a disused building by La Hoare restaurant.

LOG 182 OF 22/3/15 KINGSWAY SHOPPING CENTRE

Officer reporting seeing a male climbing the wall into the Ruperra garage opposite the shopping centre. The building is derelict. Believed to be homeless person trying to gain entry

LOG 63 OF 23/3/15 NATWEST BANK HIGH STREET

Male reported as being on the town centre begging. He has an Asbo not to.

LOG 346 OF 22/3/15 OLD GREEN ROUNDABOUT

Male breaches a section 35 dispersal notice.

LOG 194 OF 22/3/15 KINGSWAY

Member of the public reporting two intoxicated people in the street. Male is urinating onto the road below the over bridge. The male denies any offence

LOG 207 OF 18/3/15 CROSS LANE

Witness reporting people in the building and are using it as a "crack den". Men have been seen coming and going. It is a derelict building and there are lots of needles outside. Caller states one male has been staying there for weeks

LOG 156 OF 18/3/15 COMMERCIAL STREET

Shopkeeper reporting an intoxicated female outside their premises harassing customers asking for money. Others are sat outside on the benches.

LOG 66 OF 17/3/15 KINGSWAY

Passers by reporting homeless men living near the speed camera under the Old Green and there are kids giving them abuse.

LOG 239 OF 14/3/15 HIGH STREET

Local business reporting a group of males standing in the doorway rolling a joint. They were asked to move away and they swore at her. These persons were identified as being our homeless persons

LOG 94 OF 14/3/15 HILL STREET

Caller reporting that homeless persons are sleeping in their car park and using drugs

LOG 202 OF 13/3/15 NEWOPRT CENTRAL LIBRARY

Librarian calling stating that there are homeless persons in the library sleeping. They've woken them up a few times but they're refusing to leave. They are sleeping on the window sills.

LOG 221 OF 12/3/15 OLD GREEN ROUNDABOUT

Officers arrest a male for begging in the underpass.

LOG 340 OF 10/3/15 BRIDGE STREET

Member of the public reporting two homeless persons fighting in the street by the lamb pub. Two of them are arrested

LOG 141 OF 7/3/15 HILL STREET

Local business owner stating that homeless persons are sleeping in his private car park

LOG 141 OF 2/3/15 OLD GREEN ROUNDABOUT

Officers arrest a male for begging.

LOG 186 OF 28/2/15 TOWN CENTRE

Well known homeless gent is issued with a section 35 notice for being on the town with alcohol.

LOG 214 OF 26/2/15 COMMERCIAL STREET

Member of the public reporting a group of homeless persons sat on the benches in town and drinking alcohol and intimidating customers going in and out of the shops.

LOG 228 OF 23/2/15 HILL STREET

Local business reporting that homeless persons are setting up camp under his back stairs. There's a lot of rubbish there.

LOG 306 OF 25/2/15 CAROLINE STREET

Member of the public reporting persons breaking into garages in the street. They are homeless and looking for a place to stay. They are moved on

LOG 158 OF 24/2/15 UPPER DOCK STREET

Officers arrest a male on the town for begging.

LOG 254 OF 25/2/15 NATWEST BANK BRIDGE ST

Caller reporting 3 homeless persons begging outside the bank and being very aggressive when asking for money

LOG 327 OF 20/2/15 KINGS STREET NEWPORT

Member of the public calling three males inside the Kingsway shopping centre bothering elderly persons for money.

LOG 227 OF 15/2/15 COMMERCIAL STREET

Caller reporting 10-15 homeless persons opposite the Tom Toya pub being rowdy and pushing each other. One male is shouting at members of the public as they go past.

They are moved on.

LOG 318 OF 6/2/15 NATWEST BANK HIGH STREET

CCTV stating that homeless male is harassing people by begging outside the bank.

LOG 235 OF 5/2/15 HSBC

Homeless male asked to move on but refusing. He is begging he is arrested for breaching his bail conditions

LOG 361 OF 1/2/15 UPPER DOCK STREET

Officers arrest a male for begging on the town

LOG 295 OF 28/1/15 NATWEST BANK HIGH STREET

CCTV reporting known homeless male is begging outside the bank

LOG 236 OF 6/1/15 NATWEST BANK HIGH STREET

Male MOP reporting a male by the bank begging. He has no id on him to sell the big issue and had shouted verbal abuse at the caller. This male was located by the bank with a hat on the floor in front of him begging. He was told to leave the area.

8: in addition to these police logs, we also have CSOs who have been on the town and have been informed in the following incidents of such behaviour:

CSO Anna Passmore states:

On the 12th June, my tour of duty was between 1400-0000hrs. Whilst on patrol, I was approached by a member of the public on Westgate Square at 1830hrs stating that she had been approached by three males asking for money outside the NatWest bank on Cambrian Road. She stated that one stood in front of her and said "Any Change?" "She said that she carried on walking but he followed her. She was then approached by another two males who said "any spare change luv?" She said that she felt very

intimidated and frightened and felt that she was left with no other option but to give them money. After giving them money, she said they kept asking for more until they left her to follow a male to a cash machine.

This officer stated that she identified the males involved and on looking at CCTV of the city centre, it appeared that they were aggressively begging in the town centre and seemed to be targeting elderly people.

CSO Perrie Di Ronato States:

On Sunday 14th June, I was on patrol with 2 other PCSOs on Cambrian Road. At the top of the road at the junction with the Queensway, I could see a male I know to be ----- sat on a wall with his trainer and sock off his left foot. As I was at a distance of about four metres from him, he looked up at two males who were walking passed and asked "have you got any money?" "I saw one of the males shake his head from side to side as they continued to walk in the direction of Queensway roundabout

Another male then passed ----- walking in the direction of Cambrian Road. ----- asked him. "Have you got any money I can have?" "I saw this male shake his head and say "no "to ----- As this male walked closer towards me, I asked him, "Did that man just ask you for money?" "

The male said "yes"

I approached ----- who began to put his sock and trainer on as he saw me and I said "alright ----- " he said, " am I going to get arrested? "

I told him, "You know you've asked for money and you shouldn't have. "He replied "I haven't asked anyone for nothing. " I explained, I just heard you ask the last three passers-by for money. "

----- replied "oh ". Before he had even put his trainer back on properly, he stood up, grabbed a backpack and a carrier bag and ran away from me in the direction of Cambrian road. I contacted Newport city council via the store net radio and asked them to monitor ----- and direction of travel. PCSO 61 Reynolds passed the information to the force control room where other police officers were then dispatched to locate -----

I know this male to be ----- as I have dealt with him many times before in Newport city centre for begging and causing ASB. The most recent occasion being on Monday 8th June on Bridge St

This officer informed me also that she had dealt with two beggars with a police officer on Monday 15th June on Westgate sq. whereby a male and his son were approaching people on Bridge Street near the cash machines and asking for money. Both were advised and left the area. The same evening, they were seen in the bus station again approaching people and asking for money.

A further statement states:

On Monday 18th May 2015 at approximately 14.15 hours I was conducting patrols along the back of PARK SQUARE CAR PARK, COMMERCIAL STREET, NEWPORT in company with PCSO104 PURCELL. I passed a female who I know to be -----in company with a male who I know to be ----- The couple had a brown and black Staffordshire bull terrier dog with them. Whilst walking towards the rear of 122 COMMERCIAL STREET, I could see the roller shutters of the premises which were previously locked, now open.

I walked through the open roller shutters and checked the area. On the floor I could see drug paraphernalia including uncapped needles and syringes. I walked back out of the area, closing the shutters behind me. As I began to walk towards TY PALMYRA, a male who was loading his vehicle said "THOSE TWO ARE SLEEPING IN THERE MIND. THEY WERE

COMING OUT THIS MORNING WHEN I FIRST GOT HERE.”

I clarified with the male who he meant by asking “DO YOU MEAN THE TWO I WAS JUST TALKING TO?”

The male confirmed he was referring to -----.

I have met both ----- in NEWPORT CITY CENTRE a large number of times previously when dealing with them for offences such as drinking in an alcohol exclusion zone and causing anti-social behaviour. Having dealt with them on so many occasions before, I would recognise them again. I had a clear and unobstructed view of both ----- and ----- when speaking to them at the rear of COMMERCIAL STREET.

On Tuesday 28th April 2015 I was on duty and in full uniform on STOW HILL, NEWPORT in company with PCSO104 PURCELL. At approximately 13:15hours, whilst walking alongside CONVEY LAW, STOW HILL, I observed bags, jackets, clothes and a big bucket hanging on the fence along the pedestrian walkway. Also tied by a lead to the fence was a white Staffordshire bull terrier dog. As I walked closer to these items, I looked to my right to see -----(-----) standing on the steps leading to ‘ESCAPADE’ 38 STOW HILL. I said to him “YOU CAN’T LEAVE THESE ITEMS OUT ACROSS THE PAVEMENT”.

He replied “WELL I KNOW THAT I’M TIDYING UP AND MOVING OUR STUFF AROUND.” Another male who I know to be ----- then stood up from behind a wooden board at the top of the steps and said “JUST GIVE US A BREAK OFFICER, SOMEONE CAME AND THREW ALL OUR STUFF ACROSS THE STREET I’M JUST TRYING TO GET IT ALL BACK TO NORMAL”.

PCSO104 PURCELL said “YOU SHOULDN’T BE HERE ANYWAY”.

He continued to shout “COME ON WE AIN’T GOING TO LEAVE IT THERE JUST GIVE US A BREAK, AFTER THE DAY I’VE HAD I NEED A BREAK.” I instructed both to move the dog and items off the fence and pavement as soon as they could.

CSO Jack Purcell States:

I am the above named officer and I am employed by Gwent Police as a Police Community Support Officer based at Newport Central Police station. This statement is a compilation of information and complaints received between the 15th April – 21st April 2015. The complaints relate to homeless people sleeping in the doorway of the old Escapade nightclub on STOW HILL in NEWPORT.

An employee of NEWPORT CITY COUNCIL has informed me that they had to attend the steps of the Escapade Nightclub to clean up discarded hypodermic needles and human excrement. The clean-up was necessary following a complaint to the council from a concerned member of the public relating to public safety.

On Friday the 17th April I was approached whilst on patrol on WESTGATE SQUARE in NEWPORT by three builders. The builders stated that they were working on a building that had a clear line of sight to the doorway of Escapade Nightclub. They pointed to three people stood nearby. They stated that earlier in the day they had witnessed the female removing her jeans and underwear and injecting drugs in to her groin whilst the males also injected drugs. They were disgusted at the behaviour and the fact that members of the public were walking past on the street and could see what was happening. They felt compelled to tell the police about what they had seen but were not willing to provide a statement for fear of reprisals in the form of damage to their vehicles.

On Monday the 20th of April I attended a call (Log 244 of 20th April) to a solicitor’s office on STOW HILL located next door to the problematic doorway at Escapade Nightclub. The caller stated that over the last three weeks since three people had started living in the doorway next door they had experienced numerous problems. The caller described how on a

daily basis he had to clean up hypodermic needles, empty cans of alcohol, human excrement/urine and general litter from his property. He said that he had witnessed the people living there discarding litter and other items into the basement of his building from his office window.

In addition to the litter issues staff at the solicitors were complaining to the manager that they felt intimidated walking into work in the morning as three homeless people identified as ----- were often sat on their steps begging for money. Staff often felt so intimidated that they felt they had to give them money in order to enter their place of work. All three were described as being drunk on a daily basis and often even more intimidating towards the end of the working day when staff were going home. Staff have been leaving the premises in pairs to return to their vehicles as they feel threatened and intimidated by the homeless people sat on their steps.

On the evening of Monday 20th April Gwent Police received a call from the CCTV office in NEWPORT stating that one of them was on camera with another male and both had tourniquets around their arms and hypodermic needles in their hands. The CCTV showed the two males in the doorway of Escapade Nightclub on STOW HILL.

PC Andy Buchanan States:

I am the above named person, employed as a police officer by Gwent Police and currently attached to the Newport City Centre Neighbourhood Team, based at Newport Central Police Station. I have been attached to this team since the beginning of April 2015 and part of my role is to carry out both foot and mobile patrols of the city centre and surrounding Stow Hill ward.

Since doing this role I have note on numerous occasions that the steps and doorway to the Escapade nightclub on Stow Hill have been turned into a small "shanty" shack used for the purpose of living in.

Further to this I have learnt that the residents of this make shift shelter are a couple by the names of (X) and (Y). (redacted)

On Monday 6th April 2015 I had cause to speak with the pair who were suspected of theft of a mobile phone from a young female who had been on the city centre. It was obvious to me that they were clearly living within this doorway as there were sleeping bags present, make shift wind breakers and numerous food packages and other rubbish items strewn around the immediate vicinity.

Further to this I also saw them on the evening of the Friday 17th April 2015 actually going into the doorway area and settling down for the night. Again it was obvious to me that this area was being used as their home. In addition to this I should note that when the couple are not present at that particular location, the couple place numerous boards and old tables across the stairway in an attempt to secure the area so that they can keep their belongings within the area. The area itself has now become incredibly dishevelled and unkempt. There is a musty, dank smell emanating from the area when you walk past it and as already stated there is clear evidence that the couple discard all of their day to day rubbish in the immediate vicinity of where they sleep.

A large percentage of this rubbish is old beer and cider cans and bottles and on the occasions when I have had cause to speak with the couple they are very often under the influence of alcohol or controlled substances. I am unsure if alternative accommodation has been offered to the pair or even where their last known address was, however it was apparent to myself that their present living arrangements are a health hazard to both them and the wider public.

CSO Flynn states:

I am the above name person and on Thursday 23/4/15 at approximately 1345hrs I was on patrol on Commercial Street when I was approached by a male I know to be ----- . During the court of our conversation, he stated "IM STAYING IN THE TUNNEL UNDER THE BACK OF THE WESTGATE. I DIDN'T BREAK IN, IT WAS BROKEN. THE LOCK WAS ALREADY BROKEN. I DON'T USE CANDLES OR ANYTHING BECAUSE OF FIRE BUT ITS QUIET AND NOBODY KNOWS. I DON'T WANT THE REST OF THEM KNOWING OR ANYTHING. "

I had been made aware of the above location by local business owners and had inspected the area earlier that day. At the location, I observed a mattress and some dirty bedding which were placed on the ground at the end of an underground service tunnel. There were numerous used syringes and drug paraphernalia scattered around the area. I also observed several candle stubs and used tea light holders placed next to the mattress. Whilst at the above location I was spoken to by a female member of staff from an adjacent business premises. This female stated to me "THE HOMELESS PEOPLE ARE ALWAYS DOWN THERE. WE ARE AFRAID TO GO OUT THERE. THEY DO DRUGS AND IT'S NOT SAFE WHEN WE HAVE TO FINISH IN THE EVENINGS "

ASBOs have recently been granted on the worst beggars on the town who are also homeless males. Legislation under the Vagrancy Act has been used in recent weeks in order to take positive action against those sleeping in doorways on the town centre. Others have been arrested for breaches of ASBO. Two males who are the most prolific have between them been involved in 68 incidents in relation to begging in the town centre and associated disorder they were involved in whilst involved in this activity. A third male has just been released from prison due to being again arrested for begging on the town centre. This male has been involved in 53 incidents.

These males have also been named by witnesses as also being the males who are setting up home in doorways / derelict buildings and fire escapes.

They are causing a health hazard with the rubbish they leave behind including used needles. They have been seen to urinate and defecate in these areas also. The clean-up process is expensive to the council but necessary.

9: One homeless female was seen in April to go into the doorway of the old Escapade nightclub, remove her jeans and underwear in full view of the public and inject herself into the groin. Two males with her were also injecting. This was in the middle of the day. The witnesses were so disgusted that they were compelled to inform police however didn't want to make a statement for fear of reprisals.

9: Other business owners have stated that they have themselves on a daily basis had to clean up used needs, and human excrement and general litter from outside their premises before opening up for the day. They have seen these persons living outside their property and throwing rubbish down into their basement area through their window when they are working into the evening.

Some are so intimidated that they feel forced into giving money to these people in order to be able to enter their place of work safely and without issue. They then do this at the end of the working day. They prefer to leave work in pairs rather than alone due to feeling threatened and intimidated by these people.

10: we have received emails from local businesses who have had issues with persons sleeping within the boundaries of their businesses and these businesses have been kind enough to provide us also with photographic evidence of what they have to contend with on a daily basis when opening / locking up.

One has stated:

We have had fly tipping of rubbish and furniture into our rubbish bins and area. This includes a sofa which we had homeless people sleeping on it. Several times a week, we have people

rummaging through the bins and sometimes removing things and depositing contents of the bins on the surrounding floor. We have had the exterior lights removed leaving behind bare wires which have had to be replaced.

Wildings have informed us that they have had problems with vagrants storing clothing, goods and bags on their fire escape and are using it as a toilet. Every time they open their fire door in the morning, it stresses them as they don't know what they will find and they have to clean up human excrement and wash away urine. The persons have tried to break in via the fire door onto the roof and attempted to get into the air conditioning area. Waste bins are being moved and being used as shelters. Others have taken up residence in the old night club entrance across the road and they are watching the back of the store all the time. The store are concerned that they may break in. on carrying out a routine inspection of the rear of the store, they have found two individuals behind the bins pulled up by the wall of river island. They were drinking and looked to be taking drugs but the witness states that they were too intimidated to stay they have with assistance from another shop, dragged the bins away from the back as well as the heavily soiled mattress. The whole of the area is being used as a toilet.

- 11: Despite all this evidence, it may not show a true reflection of the amount of issues that we have on the town centre due to people not wanting to call it in to report it. A lot of persons feel intimidated and afraid.
- 12: The primary concern in requesting this order should be the safety of the innocent people who live or work in the City Centre area of Newport.
- 13: Newport city council is spending £1mls on improving the look and facilities of Newport and attracting people to the city centre. However this could all be put into jeopardy with people being put off visiting should this issue be allowed to persist? Businesses will leave if they feel that staff don't feel safe working in their premise, people will refuse to visit and spend time and money in its many shops if they feel that they are being asked for money on every corner.

Signed... *Leanne Pole* ...

Dated... 8/7/15.....

Appendix B-

Public Space Protection Order- City Centre- Public Consultation Summary**Total responses = 403 (as at 5 October 2015)**

Measure	No of Agree	No of Disagree	
		%	%
No outside alcohol	363	90.1	9.9
No rough sleeping	364	90.3	9.7
No begging	376	93.3	6.7
All dogs on lead	391	97.0	3.0
No fly posting	362	89.8	10.2
No free leaflet distribution	321	79.7	20.3
No canvassing of services/direct debits	381	94.5	5.5
No pavement 'A' boards	273	67.7	32.3

Demographics of responders

Women	Men	Not given
174 43.2%	198 49.1 %	31 7.7%

Age Band	No	%
16-24	11	2.7
25-34	35	8.7
35-44	75	18.6
45-54	89	22.1
55-64	85	21.1
65-74	70	17.4
75 and over	10	2.5
Not given	28	6.9

Capacity responded	No	%
Newport Resident	320	79.4
Worker	37	9.2
Business	31	7.7
Student	2	0.5
Organisation	0	0.0
other	7	1.7
Not given	6	1.5

Where from

Ward	no	%
Allt-yr-yn	40	9.9
Alway	6	1.5
Beechwood	24	5.9
Bettws	6	1.5
Caerleon	24	5.9
Gaer	14	3.5
Graig	13	3.2
Langstone	15	3.7
Llanwern	5	1.2
Lliswerry	12	3.0
Maesglas	1	0.2
Malpas	19	4.7
Marshfield	2	0.5
Pillgwenlly	18	4.5
Ringland	7	1.7
Rogerstone	28	6.9
Shaftesbury	12	3.0
St Julians	19	4.7
Stow Hill	49	12.1
Tredeggar Park	13	3.2
Victoria	13	3.2
Outside Newport	32	7.9
Not given	31	7.7

Any other safeguards suggested

More police officers in city centre, particularly during shop/business/transport opening times

Seats removed from pavements outside cafes

more enforcement of the pedestrianised areas- less cars parked on them all day and traffic during the day.

Pedestrianised City centre should be enforced. Fine illegal parking

No bicycles and skateboards

More licenced premises, more police presence

No busking

No smoking zone completely

No smoking allowed outside cafes - have to walk through the smoke to enter the premises

That graffiti is removed as quickly as possible from premises and street furniture

More frequent street cleaning, bring back the town rangers to deal with anti-social behaviour and assist with queries from the public. Introduce more CCTV and advertise the fact they are there which will help deter anti-social behaviour.

No loitering

less cars in town centre. stop disabled parking to

Stricter parking enforcement in the paved areas and around critical access points such as the lower end of Bridge Street pelican crossing area

More response to fighting/domestic violence that is very visible in the day time

Security

Police control of traffic in the Town Centre. No cars should be allowed - all shops have rear access.

An Enhanced Community Police Presence

Ensure there is appropriate and suitable lighting in the City Centre.

More alternative sleeping places for the rough sleepers on the edges of the city centre. Prevention is better than punishment. Discourage the sale of cheap alcohol from smaller shop. Maintain standards by checking to see that alcohol is not sold to people who are drunk. Better policing of these premises.

There should be a greater police or security presence in the town centre. It is a very dangerous and intimidating place to be
More CCTV coverage
Not allow groups to congregate outside St. Pauls Church i.e. drugs/alcoholics
some enforcement of existing laws would be welcome
More patrols by community police officers & the dispersal of crowds of young people especially around bus/train station areas after dark, Car parking areas need to be well-lit at night and locked at an appropriate time or patrolled. The police should be aware of the vulnerability of individuals in their community & understand they need protection especially those with mental health issues
Monitoring of vehicle access sometimes there appears to be a lot of cars using the pedestrian areas at loading times
No legal high smoking. No skateboards
Stop the 'chuggers' accosting people going about their business
Bollards to ensure safer parking on the city centre
more community police patrolling
There seem to be a lot of vagrants hanging around. People say they are having to come to Newport from a very wide area for signing on etc. Is this the case? Can this be rethought?
More police officers
No dog fouling in City Centre
People should not walk around and go into shops in there PJs or without tops on.
Enforce more rigidly the no cycling on paths policy.
Return of railings / bollards in Talbot Lane
stop loitering
Don't allow gangs of school children and or other groups to congregate in town
Ensure that lorries drop deliveries at set times in pedestrian areas
Traffic exclusion enforced. There is no need for deliveries to be made to the front of businesses in Commercial Street. If you ban cycling you must also ban driving. I would like to see the 'ambulance chasers' removed from the city centre. These people prey on the gullible and vulnerable, and have no interest in helping those who have genuinely experienced accidents. For example, I recently spent a month wearing a sling because of broken bones, and on around 20 visits to the city centre was not approached once. I have been approached since. However, these people regularly approach more vulnerable members of the community.

Increased police presence to discourage Anti-social behaviour and remove individuals under the influence
more security
more outside seating
More police around the area.
Why not put litter control out to tender like other councils have? Then it could be self-funding.
Presence of more Police Officers visible
The alcoholics are gathered across the road from the police station. What are the police doing about it?
There should be no parking in pedestrianized streets during prohibited hours
No cars
More police and availability of ambulances when needed
People riding through the pedestrian area of the city on bikes. Dangerous to all
Fix the bollards
Better signs - fewer, compact, all information in one to stop it looking dis-organised.
No vehicle access to town centre
Enforce regulation re selling alcohol to people already drunk by licenced premises
I think they are all covered
Good CCTV coverage and visible policing
Cycling skateboarding
Increase in Visual Policing
No Gangs Loitering
Bollards Utilised to ensure pedestrianised area
Please sort out the parking in the City Centre People are parking all over the pedestrian area. It is really Dangerous and inconsiderate.
no skateboarding or cycling
no skateboarding or cycling

Ban Smoking in the City Centre
Not allowing smoking of cannabis
Much Stronger Police Presence
More Police
More CCTV Coverage
There should be more visible presence of police and/or wardens
Ban Cycling through thoroughfare
Zero Tolerance of Anti-social Behaviour
Greater enforcement on landlords to look after the outside of empty properties
No Bikes in the pedestrian areas
Street cleaning should be intensified and owners of empty business premises should be ordered to leave the shop windows and interiors in a clean and rubbish-free condition or the premises should be allowed to be entered, cleaned at the expense of the owners. The council should have a bylaw to permit them to cover empty shop windows with decorative artwork posters or student artwork should be exhibited in the windows.
There is a need to reduce drug taking throughout Newport. I have never lived anywhere where someone would be as blatant as smoking weed directly across the road from a police station. The amount of people under the influence of drugs and alcohol in Newport discourages individuals from using the city centre as these people are often arguing/shouting in the middle of the street and/or making a nuisance of themselves in the daylight hours never mind the evening. It puts my colleagues and I off from going out for lunch in the city centre. Hopefully with the addition of Friars Walk the situation will improve.
Extend safeguards to school areas and residential areas close to public houses
Fines for Dog Fouling
A total Ban on young people tearing through the town centre and all stopping areas. I myself and my sisters have almost been knocked off our feet by them
by the cenotaph as I have seen drunken behaviour there
a speed limit (walking pace) on disabled buggy drivers.
Should only be allowed at licensed premises if eating and seated
Smoking bans enforced
The "A" board proposal needs to be more selective where they must not obstruct the footway, they do add to the street scene.
No Cycling. There should be plenty of spaces to sit down comfortably

Licence Buskers
No Smoking
No Parking on Pavements and No Chairs/ tables from Coffee shops.
Extend to the whole town Centre
It would be good if he same applied to residential Suburbs
More Police on the Street
Curbing of foul/offensive language
Increased Patrols
I would like to see the open use of Cannabis put to an end
More Police
enforce no cycling- fast food outlets to employ street cleaners during their opening hours
More visible policing
A greater police or city ranger or security presence to deal with Anti-social behaviour
Protection of Newport's heritage and historical buildings
Security Staff
Greater Police Presence as Security Cameras in Problem Areas
If there is to be an enforcement of no rough sleeping or begging, what action will Newport City Council take to help those who are in this position. A response from the council is required.
NO BEGGING not even street collections but YES to promotional stands where people can choose to become informed.
ALL dogs (except guide dogs) should be banned from the city centre
Police presence and / or other enforcement should be visible and adopt a zero tolerance approach to all forms of antisocial behaviour
Prevention of Congregating Gangs
Greater Police Presence as Security Cameras in Problem Areas
Shorter licensing hours for the clubs
Police not PCSOs

No dropping of chewing gum, unsightly, makes environment feel dirty, Anti-social
A clampdown on youngsters shouting and swearing
No cycling on pedestrian streets
No cycling on pavements, no skateboards or roller blades etc.
No swearing should be allowed
No bikes
More visible policing of misdemeanours would help
I would like the streets to look clean
Street traders should be properly policed, legitimate market traders.
More regulations of traffic in pedestrian area
No gangs of children or teenagers
Please enforce the no cycling in the pedestrian zone
Help and advice. Centre easy to access
No gangs or large groups
Police and wardens patrolling
No parking in the pedestrian areas without a Blue Badge
I would like to see smoking banned in front of premises, it is unsightly, intimidating and leads to unacceptable littering.
Install PCOS with real power and street wardens who will challenge those who disrupt the status quo in the town along with security staff presently employed in the centre.
Pedestrian areas should be totally clear. If an area is supposed to be pedestrianised, then it should be totally vehicle free. Commercial Street at the moment seems as dangerous to me as trying to walk down the middle of Chepstow Road.
All marketing activities, whether commercial or for charity, should be prohibited in the City Centre. It seems impossible to talk for more than about 10 metres these days, without being hassled.
All people asking for surveys in Commercial street should be banned.
Gangs of people restricted
No surveys on streets of any kind. I often walk through with my children and hear bad language. This should be on spot fine (as bad if not worse than litter droppings/dogs fouling). Zero tolerance on anti-social

behaviour. This all stops Newport from being a great City.
Get to grips with the tattooed half-wits that stand around shouting and swearing at each other whilst smoking cannabis and drinking Strongbow
Speed control on mobility vehicles
If there is no Police in Newport City then it will be a better place because Police cause all the trouble.
People should not be allowed to cycle through the town centre
More police presence in the City Centre
Street Wardens or security staff for the main streets (Commercial Street, High Street, Cambrian Road) to ensure that a zero tolerance approach to anti-social behaviour is enforced
Cyclist and skateboarders are a nuisance
Noise control, eg loud music
Dispersal of groups of youths
More Police and bring back the City Centre Rangers
Groups of more than 10 people should be moved on
Move Job Centre out of City Centre. This will prevent some people from entering City
No gangs of yobs or louts gathering
Street Wardens to enforce rules
No smoking in the City Centre as the smell of smoke is offending to other people and harmful
No business canvassing, eg Legal firms. Permit only busking. Limited to numbers gathering as it is intimidating.
Prohibit the riding of cycles in pedestrianised areas
Security Officers are in Cwmbran
Those drugged out of their heads are as bad as those drunk
Policing of litter dropping
Bicycles should not be ridden in Town Centre
No Talk Talk staff outside WH Smith
Boarded up buildings encourage fly posting and vagrants in the empty doorways. Find some way to

encourage businesses to open in the City Centre and take the boards off the buildings.
Cyclists speeding through the shops
No smoking at the entrance to pubs
Stop push bikes being ridden and cars being driven and parked in the pedestrian zones. The laws are already in place but not being enforced.
More police or PCSO presence in the City
Enforcement of cycling ban
Yes more Police presence
No groups hanging around, no bike, no drugs or walking down the street smoking cannabis, licenced buskers and street theatre to be allowed not the people who try to play an accordion or make strange puppets dance, visible presence of security, more bins
Visible Police
no cycling
better lighting and toilets open longer into night
no skateboarding or uninsured mobility scooters
delivery vehicles only 24/7 no cars at any time except emergency vehicles. There is plenty of late night parking at the train station, council get them bollards working only certain ones are broken not all of them
no vehicles/bicycles or skate boards and scooters
no cyclists in pedestrianised area notices
ban parking on pavements
no cycling in city centre
more policing
remove chewing gum and litter
I would like to see "Chuggers" banned completely, not licensed. Also, the reinstatement of wardens or police presence to police the area
more good shops
remove chewing gum, litter etc. Pigeon control. Use of bad language/swearing clamped down on, free parking
chewing gum and litter

more police presence on streets
Youths loitering about the city should be moved on. I feel very intimidated by such behaviour
Stop Big Issues sellers
more police patrols
The Big Issue and other services for drug addicts and drunks should not be located in the city centre
disperse large groups such as Roma Gypsies
dispersal order for gangs persistently converging in public spaces, behaving in an intimidating manner
Better lighting in subways
get rid of the subway on the Old Green. More patrols at night
visible policing
More police or some kind of security presence, stop gangs and groups of obviously drunk or drugged people from staying in the town centre for long periods
more police officers (not PCSOs) performing foot patrols
no random street traders selling crap toys, street seller or performers ought to be licensed
control of vehicles in the town centre. No vehicles should be allowed between 9-5
High profile policing
visual presence of Police and CSO Officers
visual police presence
No cycling on pavements, no skateboards or roller blades etc.
Dogs should be banned (except for blind or hearing dogs) from the City of Newport, even if on a lead
Greater police or Community Support Officer presence to discourage anti social behaviour
More Police presence
Stop cycling in the centre
No stands advertising services
More Police

Disperse groups of adolescents
Curbing offensive language and swearing
Parking in the City Centre
There should be designated smoking areas in the City
No vehicle access in the pedestrian area
More visible policing
Parking rules enforced
More Police presence
The resilient troublemakers i.e. aggressive beggars, repeat shoplifters, repeat offenders, displaying anti social behaviour.... Shouting swearing, should be given 6 banning orders from the City Centre so the police, PCOs can reassure the public that the Centre is a safe environment.
No skateboards/BMX bikers
Prevent any person from lodging or loitering at any time of day or night without good reason
Visible police presence
Zero tolerance on ASB/bad behaviour
Drinking along the riverside
Police patrolling the streets
CCTV cameras PCSO Officers, ban troublemakers from the City Centre
More police on foot
Ban riding bicycles in the Centre, very dangerous and intimidating for young and old.
All covered
no cycling on pavements a d pedestrian areas
the selling and buying of drugs
no swearing and/or swearing
restrict large gathering of people, particularly disturbing bottom end of Commercial Street. Bigger numbers of Policeman in this area

more Police
no skateboards, no cycling on pedestrian areas eg pavements
City Centre parking enforcement and street wardens
Same area
Problem with drug dealing
Street permits for charities and other merchants like Sky and insurance claims should also be ceased.
Bike riding and skateboards
Visible security guards on patrol
No tables and chairs outside cafes and pubs. Some like outside Breeze and Wetherspoons on Cambrian Road block the pavement completely.
No cycling or skateboarding
Ban chewing gum and fine people using foul language
Bollards in place to prevent vehicular access
Higher police warden presence to deter pickpockets, stop gangs of youths hanging around
Move the support for drug and alcohol out of the city centre so there is no lure to people hanging around town all day
Repair and reintroduce the rising bollards designating the pedestrianized zone
Stop bikes and skateboarding
regular presence of friendly police personnel
Build an Emergency Shelter for the homeless
Subway under the Railway Station should be closed and replaced with a bridge.
The use of foul language should be stopped
Street cleaning & litter management maintained regularly
Stop cyclists riding through pedestrian areas. They are a hazard to others as well as themselves should they collide with pedestrians

Marketing/sales on Commercial Street, e.g. Talk Talk outside WH Smith.

Stop the use of pedal cycles in the pedestrianised areas of the town. Also litter wardens to challenge people who drop litter of any kind.

Monitoring of ATMs and parking machines where cash is used, to stop aggressive begging for cash.

All dogs with the exception of guide dogs should be banned from the town centre. If you are bringing in new laws, wouldn't it be a good idea to actually enforce those already in place as well as the new ones.

No riding of bikes

Stop traffic coming through the City Centre. This is dangerous for the young and old

Drug users/addicts need the same disciplines as drunks, along with anti-social behaviour from people swearing/shouting.

No busking, cycling or skateboarding

Wardens or police to guard against graffiti and break-ins

No dogs in city centre, no loitering, no skateboarding, no shouting obscenities

Prosecution and banning of people who cause a public nuisance such as shouting and swearing at others. Also town centre should be dog free zone except blind dogs. Also should be designated cycle lane through centre

Take away 'A' Boards so dangerous and so many

Yes, the rise of groups of young foreign men hanging around is intimidating

More police presence

More litter cleaning eg more bins and perhaps food outlets have more responsibility to ensure their litter is disposed of properly eg providing their own bin.

More litter cleaning eg more bins and perhaps food outlets have more responsibility to ensure their litter is disposed of properly eg providing their own bin.

When the council puts people's right before "tidiness" these proposals may work. But they seem anti-people - put people first and use OUR money to help them, not criminalise them

CCTV cameras would be a good deterrent. Spitting on pavement, filthy habit. Riding bikes on pavement and pedestrian areas wrong way up roads could cause accidents.

I would like to express my opinion on two potential protection orders concerning rough sleeping and begging.

No rough sleeping - **I am strongly opposed** to this possible protection order. I fail to see how 'rough sleeping' otherwise known as being homeless, equates to 'anti-social behaviour'. A breach of a Public Service Protection Order (PSPO) is a criminal offence and carries with it a 'Fixed Penalty Notice of up to £100 or a fine of up to £1,000 on prosecution'. This proposal therefore labels a homeless person a criminal, and fines that person, solely for being homeless. It is entirely unrealistic to expect a homeless person to be able to pay a £100 fine, and a fine of up to £1000 on prosecution. Unmanageable fines will lead to unpayable debt, wasting time and resources in chasing that debt and will also slap the homeless person with a criminal record. How do you expect somebody to re-integrate into society under these circumstances? You state that this proposal has been suggested because "rough sleepers really need proper help and support". This is the opposite of help and support, this is kicking a person whilst they are down.

Dealing with homeless problems requires a mixture of short term solutions, which I humbly admit I am inexperienced in. However I know for a fact that criminalising the act of homelessness is not the way to provide "proper help and support".

No begging - once again begging is not anti-social behaviour. If a person is begging, what makes you think they can afford to pay £100-£1000?

more help needed for homeless people

if someone is sleeping rough, do NOT penalize them, but help them. people do not choose to be homeless. DO NOT PICK ON VUNURABLE MEMBERS OF SOCIETY.

Public houses which do not provide a designated smoking area, should have their licence withdrawn. This would stop the current situation of inebriated people obstructing the pavements, causing shoppers to step into traffic, to avoid the cigarettes, bad language/behaviour etc. This is most apparent outside the Talisman in commercial street.

No accordion players - they are annoying and cannot play

Crack down on weed smoking. I see more people smoking weed outside. I feel intimidated by this and don't want to breathe that in

Bigger fees for not picking up dog faeces, more bins? It is important to keep town clean

Do not allow drug taking. I openly see buying and selling drugs, I find needles and see people high in the street. It is intimidating and I have to pick up used needles as it is rubbish on our fire escape

Have worked in the city for many years and find drug taking very intimidating

No playing instruments badly. We have trouble walking down the city with so many people stopping you and badly played instruments, making dogs from sand etc.

Stop all drug, alcohol and loitering about the town. Also stop all the ethnic people disregarding all our rules
Ban Burkhas because it offends lots of people. More police not plastic cops on streets
No cycling. Nearly knocked down on two occasions. Unable to hear them coming up behind you. Not good for elderly people.
More patrols by wardens to enforce the above, bikes and cars out of hours
No bikes on pavements. Enforce the 11-5 in the centre
No sellers on street, traders should pay rates like shops
Crack down on drugs. Crack down on anti-social behaviour. Restriction on pop-up shops/street trading. Huge problem in Newport dealing and taking drugs leads to fear in the streets. Street vending noise pollution, pop-up shops frequent not legitimate.
The council to provide affordable, regulated accommodation for rough sleepers.

Other Comments made
Remember it's easy to criminalise homeless people who will be attracted to city centres, It's harder to help them, so I disagree they should continually be moved on, especially with the fake austerity happening, making even more vulnerable people homeless! there by the grace of god go I.....
Some of the measures such as fly posting, a boards should be extended city wide
Should be whole of City
Everywhere, including housing areas of Newport...too much noise and alcohol around
Extend - East Street, East Street Car Park
The area of the city centre that is covered by the Business Improvement District including the area around East Street and East Street Car Park in Baneswell where there is a problem of alcohol consumption and associated litter especially on weekends. There should be better patrols by the police and PSCOs of the whole of the city centre area (BID area) not just the main retail streets.
Along the riverfront, East Street Car Park and Clytha area
All areas around the city centre
Extend pill, green roundabout, maindee

East Street and East Street car park. This has been a problem area for anti social behaviour and people drinking alcohol at all times of the day. I use the City centre most days. I find the "chuggers" in the centre are bad for the shoppers' experience. I do not want to be pressured into giving my bank details on my lunch hour on a busy high street. Some of these 'charity collectors' can be rude at times even when I advise them that I already have a designated charity that I regularly donate to

Working in Baneswell is like being in a NO GO area. drunks, and open drug dealing outside our office. Sometimes need to get older people into the office for their safety. There is open drug dealing outside our office and in the east street car park This is sometimes frightening for our older customers and staff. We have business meetings and very often there is antisocial behaviour outside the premises.

There should be more seating within the City Centre. This would support older people to access the City Centre and be confident that they could rest when required. Many older people see this as a safety issue.

The centre of Newport including Friars Walk must be in public ownership so that law abiding citizens cannot be shut out.

All areas around the city centre

Residents in the Central area of Newport need the ban to be extended to cover the local streets and parks big and small. It was not felt safe or pleasant in the parks during the previous ban. Families with young children avoided them. My knowledge is of Stow Hill and Lower Dock Street where there a considerable amount of street drinking, drug dealing and resulting litter as well as prostitution was felt to increase. Residents pay taxes and are entitled to clean and safe streets. This is assuming I agree with the alcohol free city centre. This initiative, as happened the last time it was implemented, only hides the rough sleeping and drinking problems from the eyes of shoppers. The people who live in the area and who pay council tax and for the policing will have the problems on their doorsteps with fewer local police to deal with the problem. In other cities there are schemes such as wet houses which provide accommodation for the most seriously affected drinkers. We need several in Newport so they are provided with some alternatives to sleeping in doorways and car parks. You are focussing on superficial and visible issues instead of making realistic provisions. I was very cross the other year when the alcohol free zone was declared a big success. This was not true and did not solve the real problem. This is why I disagree with the proposal unless the wider city area is included and properly managed. I would like to be able to walk in safety by myself or with visitors around the wider area much of which is full of local history. Newport is and should be admired for its beauty and history as well as for its shopping. We need to know that the visitors, the council and the local people take pleasure in the area surrounding the shopping area. Regarding the A boards, leafleting and charity collections I think there is room for a bit of diversity and freedom of expression. Prevention of that limits freedoms.

We need to ensure that people from outside of Newport when they visit the shopping centre they feel they can return

It should be extended to the Pill and Maindee areas. We are committed to a new shopping centre, yet most Newport residents avoid the town centre due to the dangers it poses from theft, robbery and anti social behaviour. You need to do a lot of work to restore confidence and attract visitors, I will not allow my children to visit the town centre

I don't think alcohol should be consumed on any street in the city (apart from licensed premises)

This looks like yet another 'tick-box' exercise to me. Questions like do you want to see fly-tipping yes/no, do you want to see dogs on leads yes/no - pretty obvious what the answer is! Riding bikes on the pavement is already prohibited (supposedly anyway) - so is dog fouling - what is done about it - nothing. The point is that there are enough existing laws and restrictions which are not enforced at present - who will be enforcing all these new restrictions?

extend if evidence shows there are problems with the use of illicit substances in other areas as well

Car parks, on benches along Riverfront Walk; Cenotaph
Extend past the RGH on Cardiff Rd and over river bank to Clarence Place to George St bridge. Excellent proposal and positive for Newport
Prompt removal of graffiti/vandalised street furniture as this gives a very poor impression of the city. No smoking outside cafes. Greater enforcement of existing laws. Renovate some of the beautiful old buildings along the main shopping street. Newport has a great heritage but has been left to 'go to the dogs' and it's debatable if it can be brought back after so many years. People have changed their shopping habits and now visit Cwmbran, where there is free parking, or Cardiff.
I have spoken to several people of all ages during my role as resident engagement officer for NCH and on a personal basis, and many people are saying that no matter what shops we attract or how much money we spend unless we can make people feel safe (which they don't at present) then Newport will not change its reputation. Can I add that I have ticked disagree to no alcohol consumption in area only because I think it requires clarify. I would not like to see tables removed from outside bars/restaurants but the current practice of walking around with cans/bottles is very dangerous.
Extend to Baneswell area as well. Please provide more rubbish bins around city centre
Extend to cover the Clarence Place area and the memorial cenotaph
I commute from Cardiff to Newport every day, I can honestly say that the amount of aggressive & hassling beggars there are is unreal. Whoever came up with the idea to stick them all above the town centre should be seriously questioned. I get approach around 9 times walking from PILL to the train station, I say no - I get aggression. I say YES - they will follow me every day demanding more.
Maindee area
It needs to extend to the surrounding streets of city centre. Parking in city centre is a problem and the automatic bollards need to be reinstated to assist this... additionally double parking along Talbot Lane in a constant problem - people sat in their cars with music playing extremely loud is part of the problem, as well as them blocking entrance to garage and pavements. This could be resolved by placing bollards or railings along most of Talbot lane.
Should include wider areas of city centre. It is important to make families welcome into the city centre and attract homeowners to buy the new residences
Clarence Place and intersections should be managed the same
Extend as far as is necessary to reduce problems in town. Greater police presence required - visibility is the key. Stop children being in town centre when they should be in school. Stop people cycling through town - they should have to dismount. Increase free parking
King Lane is omitted from the current zone and is used by street drinkers, drug takers, and drug dealers. If you are going to have an order such as this the resources must be available to police it, and to act against those who break the order. I am fed up with seeing police officers and PCSOs walking past street drinkers and not dealing with the issue. Additionally some areas within the alcohol exclusion zone are rarely patrolled -- especially those close to the police station.
It is nice to see something put in place before we have our new City Centre shopping
I would like to see all the buses back in one bus station, it's much safer when travelling after dark.
Extended to all public areas in the city except gardens/grounds of licensed premises. Being partially sighted, I particularly support the proposed removal of advertising boards in the street - these can be a

menace to those with a visual impairment.
Should cover any establishment serving alcohol unless there is special license in place. access to the pdf would be nice!
Our City Must be a safe place for people to visit
No deliveries with in the designated area during the night time
Extend the alcohol free zone so that it covers areas such as Usk Way, Maindee, Pill and Spytty. Create preventative methods for those members of the public that take legal highs/illegal substances and those establishments that sell it, effective methods of dealing with the drunk/disorderly, beggars, compensation 'solicitors', on the spot fines for those that discard litter and gum (especially cigarette butts). Although general anti-social behaviour is hard to define, where it can be defined - crack down on it. Extend the alcohol free zone so that it covers areas such as Usk Way, Maindee, Pill and Spytty. Create preventative methods for those members of the public that take legal highs/illegal substances and those establishments that sell it, effective methods of dealing with the drunk/disorderly, beggars, compensation 'solicitors', on the spot fines for those that discard litter and gum (especially cigarette butts). Although general anti-social behaviour is hard to define, where it can be defined - crack down on it. Create preventative methods for those members of the public that take legal highs/illegal substances and those establishments that sell it, effective methods of dealing with the drunk/disorderly, beggars, compensation 'solicitors', on the spot fines for those that discard litter and gum (especially cigarette butts). Although general anti-social behaviour is hard to define, where it can be defined - crack down on it.
More Police
Let's Keep Newport City looking good residents and Visitors
Stop bikes being rode along the pedestrianised are of the city centre.
please ban charity canvassers / ppi and accident people harassing people and making town unsightly, ban boards, ban beggars, including big issue, ban people swearing and shouting and causing a nuisance, make the town safe again and the people will flock back - I would like to see behaviour wardens in nice red blazers, in certain fixed points of town and patrols who we can report issues to and who patrol and look interested in dealing with all these issues.
young males swearing loudly at one another is very intimidating and a problem more marked in Newport than cities elsewhere
These questions are loaded and not that intelligent. Most homeless people are not homeless out of choice but rather out of something that has happened in their personal life. I am disappointed the Council has decided to use a token and crude questionnaire approach to this matter. I would expect far better
More attention should be taken to remove graffiti rapidly and to repair or replace damaged or "scruffy " street furniture e.g. the benches near the riverfront theatre have needed sanding and re-varnishing for years.
Extend to cover all the city centre and outlying Retail Parks
Extend to cover all area of Newport
We see people drinking all over the place even in the bus station at all times of the day.
by the cenotaph as I have seen drunken behaviour there

I live in Whitsun. this area was not covered in previous question
but there is a major issue with safety in the city centre when it's dark. In the winter, I have arrived on a bus for work before 8am and been harassed and followed by beggars/rough sleepers. I am a male, but still felt unsafe. I have witnessed females subject to more intimidation, even being following into shops (Subway). This led to my decision to locate my business outside of the central part of the centre (i.e. high street), as I cannot conceive of putting employees at risk like this. Though I have sympathy for these individuals, this must be addressed if the city centre is to be reclaimed for citizens. At the same time the Council should examine what provision is available for these individuals to make sure that they have sufficient support and alternatives to this criminal behaviour.
Include all New Developments
All Very well how is it enforced
Whole of the City
More Police on the Street to cover the whole of Newport
Loud drunken behaviour disturbs residents in the small hours
Regarding the A Board proposal, I have agreed to this, but I feel that some limited use could be allowed. This should be where the pavement is wide enough to allow them to be used with enough space for pedestrians to walk. Businesses which use them should have permission to do so.
I would like to see the open use of Cannabis put to an end
friars walk development and the river front from Newport bridge to George St bridge
I work at RGH and many visiting patients comment on how intimidating they find the surrounding area. St Woolos Cathedral is a place of worship and tourist attraction but is surrounded by alcoholics, thugs and drug addicts.
Should be extended to areas out with the city centre if anti social behaviour becomes a problem elsewhere
I'm more concerned about alcohol during the day. Do something to encourage new/independent businesses empty units. Limit numbers of charity/pound/discount shops. No shopping in PJs. Clean the pavements after weekends. Job Centre moved to edge of town. Main issue is antisocial behaviour in my opinion
If there is to be an enforcement of no rough sleeping or begging, what action will Newport City Council take to help those who are in this position. A response from the council is required.
There should be designated areas where fly posting, artistic expression (inc. musicians), temporary promotional stands are permitted.
Less taxi ranks and more on street chargeable, time limited, enforced parking would encourage more people to come to the city centre for shorter visits
Any proposals need to be enforced so any suggestions need to be backed up with police presence or some other measure; what about the approaches to the town centre? The Pill end looks great, the Maindee end is a tip especially TJs and Clarence Place - this is disastrous and needs to be addressed with some sort of enforcement action. Also, the railway bridge needs a spruce up - a lick of paint would be a great idea - it's not hard really.

City Centre is an absolute disgrace. I have had relatives from Ireland who cannot believe the filth and grim everywhere. One notable comment was "it's like Calcutta" and they have been there!

Well done and thanks

Anti social behaviour by youngsters in the evening is quite frightening for older people. In spite of the drinking order they are often seen consuming alcohol.

Extend to Clarence Place area

Drug use in the City Centre is also worrying. I have seen people use heroin in the City Centre

Along with PSPO work should be done to improve public perception of the City Centre

There should be a law to stop outside drinking. I love Newport but am sad to say that the streets in the City Centre and the subway steps etc. are filthy. I shop in Monmouth because it looks so much cleaner, a lot of people must think the same, how dirty it all looks. The Council need to step up and get hoses on the roads to clean them up and keep them clean, otherwise nice people will still go to Cardiff, Monmouth or Spytty like myself and it is a shame.

NCC to introduce free parking for say 3 hours in all car parks. I live in Newport but shop in Cwmbran where parking is free. You have so many almost empty car parks and a town almost empty of shoppers, whilst Cwmbran shopping is vibrant, and all shop space taken by retailers, not left vacant as here. The reason for this is that people (including myself) will not pay to park their cars when I can park freely elsewhere. Buses are not the answer as they are too expensive and as I already pay my road tax I am entitled to use my car.

Police need to be found when needed

Visitors should be free from hassle of any form. There should be visible police around when people are in the Centre.

Ban begging, buskers. Bikes being ridden, irresponsible youths. PCOS to challenge anyone who strolls through the Centre shouting loudly, aggressively and swearing at the top of their voices. Chuggers, druggies and people who cannot get up in the morning without drinking all day.

Big Issue sellers removed

So much money is being spent on Newport at the moment, and rightly so. Let's not spoil it and let the investors down with anti social behaviour of any kind. It's our City so why cut off your nose to spite your face. Let's look after it and be proud of it. This will encourage even more investment, money and jobs.

The endeavour must be to create an environment in which people want to return and feel safe.

If there is no police in Newport City then it will be a better place because Police caused all the trouble that is why we have loads of trouble in the City Centre

All of Newport deserves the same proposals to stop these issues.

There should be the removal of drug and alcohol rehabilitation centres and services from the City Centre. The number of addicts, homeless and beggars are unacceptable and are not only giving a very poor impression to visitors, but can be very intimidating especially in the early evenings as the shops begin to close and there are few people around. The City Centre feels very unsafe at this time.

It would be lovely to be able to feel safe and go into the City in the evenings as a family or a couple to enjoy the new Wharf area and Newport as a whole. I am disabled and feel intimidated when in town, and

never go in after 5pm.
Thank You
Stop people canvassing. Seem to get stopped every couple of feet
Areas within the public realm/highway are neglected and need repair/replacement particularly within the Town Centre. Comments are made about support for beggars etc., but there appears to be only limited provision at the moment. Will this not displace some of the unwanted activities to adjacent areas?
I am over 60 and uncomfortable about going into Newport after 6pm. I feel perfectly safe in Cardiff however.
Who will police the area?
On the continent of mainland Europe alcohol consumption outside premises is accepted. Drinking excessive alcohol inside premises is probably a greater risk. A culture change is needed and not a heavy handed approach.
Just the cycling. I was just a few feet away from a speeding cyclist who nearly rode into a policeman and a special officer. Their response? Nothing, they got out of his way and carried on walking and talking.
With the forthcoming Friars Walk near completion it is important for this to be in force so people know that it is a safe area to visit at night and not to feel intimidated by people who are drinking on the street. Families will be using these facilities and Newport City Council should ensure that anti social behaviour is not tolerated.
cycling skateboarding a menace in the pedestrianized area ignored by Police
More fines for people dropping litter
create a safer environment
who is going to police the measures taken, with Gwent police numbers being reduced to 650 in the coming years, clearly they will not be able to provide the manpower for this
fix and maintain the bollards controlling access for vehicles and make signage better as cyclists are taking the mickey
why are there so many vehicles in the city centre? Why are children allowed to be on skate boards and scooters, accidents waiting to happen!
all parts of Newport enclosed within the M4 from Coldra to Duffryn and within the distributor road back to the Coldra. This is a long time in being considered and in the meantime the councils have let Newport become a jobs paradise!
cover all of Newport city centre
whole of the council boundary
around rail station and up to top of Stow Hill
not sure that fines would work, Community Service may be a better option

good consultation which tackled difficult issues
should extend down Commercial Road and Pill. Care need to be taken to ensure that the problems are not just moved down the road to Commercial Road and Cardiff Road
extend down Commercial Road. If the measures are not extended down Commercial Road all the drunks and rough sleepers will congregate there, further exacerbating existing problems
at the minimum this should also extend to parks/recreation spaces in Newport - Chapel Park, Belle Vue Park and Mouse Park would be a good start. We need more police presence to stop the gangs drinking, making drug deals, fighting and begging/approaching people for money. there are more than enough services for homeless/drug/alcohol issues in Newport, there needs to be more focus on helping people who live in Newport who are affected by people with these issues
parks and other public places
include all of the shopping areas considered to be the city centre, including properties at the start of Cardiff Road. I disagree that fly posing should not be allowed to occur within the city centre. Areas should be provided to allow flyposting to be undertaken (notice boards? bins?). This has worked in other areas (Cardiff/Bristol) and has led to reductions in flyposting on empty shops. Flyposting is a way of advertising events that could result in decent people visiting the city centre at night. Currently there is very little draw in terms of cultural activities and flyposting is linked to the advertising of small events by local promoters. It should be controlled and have areas provided where it is permitted. This would also help with prosecutions over flyposting in areas where the Council had clearly stated that it would not be tolerated
all area with shops
the new shopping centre will fail if not policed to prevent anti-social behaviour
I trust that alcohol can be served to outside tables at premises in the new Friars Walk as I would presume this would be part of the licensed premises. I hope a good presence of police/wardens will be in evidence particularly in the new area and particularly after dark
It's fine having more rules, but who is to police them when those already have are not enforced?
A ban on rough sleeping or begging does not offer support to those in question, the focus should be regenerating the City Centre and extending support networks so homelessness and anti social behaviour do not define the City Centre. Every major city has this problem but it is outweighed by the positive aspects of their City Centres. Leaflet distribution should be limited to local businesses only and charity fundraisers and personal injury solicitors should be limited to a sensible level.
I would also like to see something with regard to the dropping of litter and chewing gum within the City Centre.
Ensure thorough policing of the area so that shoppers and visitors feel safe and comfortable otherwise people will not visit or shop in the area.
Drugs openly smoked in street with Police just passing by doing nothing
Personally I would like the future proposals to include the new Friars Walk Development, Newport Centre, Riverfront Theatre and Dolman Theatre as far up as shops/restaurants on Clytha Park Road (encompassing the train station too)
If the Council are against A boards why are wheelie bins allowed to clutter the pavements

Newport would be a more attractive proposition for potential visitors if people from Newport cherished it more like they do in areas such as Ridgeway. I think that the people of Newport don't think much of the place, why should anyone else.

Please don't ban rough sleeping or begging. I disagree that banning rough sleeping constitutes 'help and support'

It is difficult to agree to these blanket proposals without detailed knowledge of positive measures. Newport City Council members are the ones out of control

I live and until recently worked in the City Centre. Every day I was asked for money, in 5 years I was threatened with violence several times a year. The police were called weekly for thefts, threats and nothing has changed. Act now, the new shopping centre and amenities could be destroyed by the habitual criminals that I see daily in the Centre. Also make sure the cameras and operators are effective. The amount of times I have been told the camera isn't working! Sorry!

Help and support is mentioned many times with regard to begging and rough sleepers particularly, what is in place for its support. I feel it is necessary for the new centre of Newport. It should not be, keep it clean, without this support.

It also needs to cover the rear of premises as well as the front and any place that people may have access to, not just public spaces, but those which may be considered as private or open to the air

For the City Centre new and old areas to be used by happy people and families. We must encourage a better feeling, cosmopolitan atmosphere and not one littered with drinkers, dossers etc. In the night time zero tolerance on aggressive and drunken behaviour.

All the drinkers are congregating by Gala Bingo

I oppose all these proposals that represent a creeping attack on civil liberties

I use Cardiff for shopping as there are beggars, drunks and aggressive looking people shouting in Newport. When the new shopping centre opens I will use it if I feel safe, but you do need security guards and CCTV otherwise it will be as bad as the present City Centre.

If you want people to use the new shopping centre, you need to deal with the crime in the City Centre. Keep the area clean and tidy, and ensure people are safe. At the moment many people avoid Newport because it looks dirty and many rough looking characters are hanging around the City Centre.

Charity muggers, people selling broadband/accident compensation and the like. Bicycle riders who expect you to get out of their way, drug clinic and job centre (see the comments following the Argus article) which put families and genuine visitors off coming in the Centre. If these places were out of town it might encourage some of the jobseekers to see what it is like travelling to work on a regular basis rather than rolling out of a taxi. The drug problem in Newport is dreadful and deals can be seen in broad daylight. Encourage a cafe culture by having chairs and tables outside public houses where possible etc. Tiny Rebel in Market area was very successful.

Gangs of youths loitering is a put off for new visitors to visit Newport

all underpasses

whole of Newport

Put signs within the city centre saying that foul mouthed people will be fined £200, income generation

Ban ALL traffic from the Commercial Road/High Street and Stow Hill/Skinner Street, buses have alternative routes and no cars need to pass through at any time day or night, there is plenty of parking

available.
If homeless people are not to sleep in the City Centre, what provisions are in place for where they can sleep?
We have told the police so many times about drug dealers on Baneswell Road.
Areas with a high concentration of HMO should also be included as the culprits seem to originate from these areas and they cause issues when they walk into town.
Many people I talk to are willing to give Newport once change only. It is vital that the Council and Centre Management get the security right from the off.
with regard to Cambrian Road the pavement is blocked completely and with cars parked you have to walk into the road to get past. If you have a wheelchair, pushchair, a guide dog, this is dangerous and could cause a fatal accident.
It is supposed to be safe to walk in the town centre, but the police allow skate boards and cyclists and do nothing
the sales people outside WHSmith are aggressive and shouldn't be allowed in the city centre at all. Buskers should have permits and be fined and moved on if they don't
The riverside for instance, especially by Castle bingo
All the way up Stow Hill and all of the parks in Newport. People openly shoot up drugs outside the Rise centre there needs to be an increased police presence and action taken to move on the people dragging Newport into the gutter
I still feel strongly that the lack of bollards to reinforce the pedestrianized zones is detrimental to the feel of the city and a fundamental flaw given the imminent opening of friars walk which will significantly increase not only the footfall in the city but the time span of that footprint. The increase in the zone is in order to encompass the Friars Walk development and curtilage. Further from a Police perspective the order has allowed us the powers to deal with low level nuisance behaviour in the city, which attracts the bulk volume of our feedback from Members of the public, particularly around such issues as aggressive begging and rough sleepers linked to crime.
All public areas
The scope to answer the questions in this consultation are too narrow. For example: I would like to see flyering banned from the city centre in the day, but I wouldn't like to see nightclubs & bars stopped from giving out flyers to clubbers on a Saturday night. Newport's nightlife has taken a hammering over the last 10 years. Then there's alcohol consumption: I'd like to see this banned to stop people drinking cans of Stella on street corners, but not to stop pubs and bars putting 'outside tables' in the street. I want to see a modern contemporary city, like that in Mill Lane, Cardiff. As for banning rough sleepers in the City Centre? They do not light fires. There are no hard facts, no police oris log numbers you have and no minutes available from your supposed strategy meeting with the police on the 8th July. As far as I am aware, there have been little (or no) complaints from members of the public. The only people bothered by the homeless are the Police. You have no mandate to issue statements in this consultation that are not true. You should not be guiding members of the public to a specific answer with leading questions.
Not even outside pubs as behaviour is affected. I avoid Newport City Centre due to the bad language being heard frequently

All this anti social behaviour is easy to stop providing local CPOs and Police do their job properly!!

While the PSOs do a fine job and it's reassuring to see them around the town, each time I have been in town and there are a few of them, they seem to group together and enjoy a lot of conversation with themselves, and when walking around in pairs they don't seem to see anything as they are too busy chatting to each other. A bit more professionalism and observance is required.

There is little police presence in the town centre, the only time I've seen police and PCSOs is when they are booking motorists - the same old easy targets. Working in Bridge Street I see a constant stream of drunk and drugged people in town always drinking alcohol on office steps in Bridge Street as well as breaking glass bottles without being challenged by either police or PCSOs.

Renew traffic free zones with the bollards in use. Ensure disabled parking is not abused even inside car parks. Notice parents with young children using disabled spaces, even perhaps allow disabled parking inside bollard area.

Newport will never compare with Cardiff and Cwmbran even though we will have a lovely new shopping area, due to the traffic being allowed through the City High Street. I understand that they need to have deliveries, but put a restriction on that they have to be out of the town by 9am or they will be locked in, this happens in other cities, why not ours. Traffic in the City is dangerous for the young, old, blind, deaf etc. it is confusing. I have spoken with friends and family who agree we will continue to go to Cardiff/Cwmbran where we feel it is safer.

Town needs to become a more safe and secure place for families to enjoy day or night. Increased police or support workers to tackle this and a more pleasant atmosphere/environment for all to enjoy thus leading to more time being spent there.

Without positive enforcement, and good coverage by that enforcement, bye-laws and protection orders will be pointless. The behaviour of too many people in the city centre can be unpleasant and sometimes shocking, day or night.

Groups of people shouldn't be able to loiter. They can be intimidating are an obstacle. We need police or wardens to enforce this.

Council to adopt these measures ASAP Please

Redevelopment has extended outside the centre and looks very good in places. To let it become unruly will spoil it. I do not agree that we should be housing 50 Syrian families in Newport. Most people do not want this. The rise of Muslims in our city is disturbing. I find women wearing the burka is very intimidating.

More bins are needed and if litter dropped fines need to be issued. Cigarettes ends as they you can slip on these. Stop kids/teenagers riding bikes skateboards through the town, maybe enforce fines or exclusion zones for repeat offenders.

There should be more police/community officers to help tackle foul language kids on skateboards and bikes and dispersing gangs. Bring in fines or temporary exclusion orders for repeat offenders and try to teach to the public to respect city centres by encouraging people not to litter eg cigarettes if not fining

them try to educate them

Support these people, not criminalise them - they need help not demonization. Putting spikes in places to stop the homeless is anti-human. Please use our money that we entrust to you to empathise not criminalise these unfortunate people

Several months ago ITV Wales news were filming empty shops in Commercial St. They filmed a shop front next to multi-storey car park. This has been used to discard rubbish for over a year now. When I saw it on TV I thought, someone on the council would see it and it would be cleared. But no it's still there. I use the nearby cafe 3 mornings a week and customers comment on the mess often. It's nice to see all the work being done in the city centre but visitors coming out of car park would not be impressed. (Note on form - comments have been noted by Streetscene, waste & recycling Enf - 25.9.15

Make sure Police Officers and Community Police carry out their roles effectively. Able people parking in disabled areas.

don't blame homeless people they are victims of Government policy

From ShelterCymru: I have to say from a research perspective the wording seems extremely biased! In order to disagree with the statement, you have to effectively disagree that rough sleepers need help and support. We feel this is likely to skew the response from the public, and we are concerned that this may end up giving Newport a false mandate to introduce punitive sanctions against vulnerable people.

Help the vulnerable, don't penalize.

I find the biggest nuisance in Newport the people selling (hard) on the streets. It puts many people off coming to Newport. It's intimidating and what's the use of having this development if people don't won't to come because of the hassle of saying no thank you and avoiding eye contact. It's encouraging anti-social behaviour.

More policemen, more wardens to grow confidence within the city centre so people will come back to Newport to shop

Do something more, policemen qualified to deal with this town looking like a drug den, eg drug addicts fighting in the street with dogs off their leads etc. By the banks especially.

There are more areas than High Street that need protecting.

Do what you say and tell the truth to us

On 2 occasions I have witnessed, in broad daylight, two men urinating in main street. Littering - please prosecute!

It's time to clean up the centre once and for all

I understand the new shopping centre which was deemed more important than the Chartist mural is to be known as Friars' Walk. What you are proposing sits ill with the teachings of Saint Augustine (whose rule the Friars followed), and is a poor reflection of Newport's proud Chartist history. I have an instinctive dislike of cities but Newport is a place I enjoy visiting because it has a distinctive feel. If you press ahead with these plans, I fear the loss of all that makes Newport special.

Appendix C Wilding Store Commercial St and Behind Premises in School Lane Issues
Recent Background information ref criminal activity, substance abuse in School Lane

Theft of copper piping three times.

22 August

Fire door exit top of fire escape broken in by canteen door. reported to police.

Various phone calls and reports to CCTV, radio net and police about open drug taking on fire escape and school lane.

The issues are

1. Health and safety of employees, physical via contact with used needles (some needles have been found left on bins and in the handle wells.) Waste in the area on the roofs / smells go up to the canteen and rot the roofs/ trip hazards on the fire escapes. Used as a toilet.
Other impacts. Intimidating and stressful having to patrol the fire escape to keep clear.
Evict people off the roof and out of the bins.
2. Environmental. Rubbish pulled out of bins/people drunk and on drugs sleeping in bins/ attracting rodents, food left in bins (Iceland pulled out and left on our roof)
3. Since the eviction from the night club on stow hill, the issue of homelessness has not been addressed, and the culprits have migrated / been displaced, using school lane as a regular area for drug use, sleeping, drinking etc.
4. There is a collaboration of charities feeding people in school lane every morning, compounding the problem.
5. Clean needles and drug equipment is distributed via dock street
6. Bins. We lock our bin with a chain, and chain the bin to the wall every night. The other businesses in school lane do not. As a result bins are used to climb on e.g.
Bins from the phone shops are stacked to allow access to WH Smiths fire escape & roof, and across to ours roof, and have pulled our electric cables used as a rope.
Bins are used to sleep in, and as toilets.
The contents of bins are removed, and waste food taken out and left on our roof attracting rodents.
All the reporting hasn't amounted to any effective long term action.
Action points.

1. The area needs to be secured.
2. The offences / trespassing / drug and substance needs to be taken seriously.
3. School lane businesses need to be made to manage their bins effectively.

12th May 2015

WILDINGS OVERVIEW

We have had problems with vagrants storing clothing, goods and bags on our fire escape. They are using it as a toilet, which is not pleasant every time we open our fire door in the morning we are stressed as we do not know what we will find next. It is no fun cleaning up human excrement and washing away urine.

They have tried to break in to our fire door on the roof, and attempted again to get into the air con area, even though we can not currently afford to have the air con replaced, as it has been stolen so many times.

We chain up our bin, however other businesses in the area do not, and as a result, the content of the bins are dumped all over the lane and the bins moved to be used as shelters. In addition, we hear the swearing and arguing from the night club entrance across the road from us on stow hill, where several people have taken up residence. They are watching the back of the store all the time, and if we have a delivery, we are concerned that they will try to break in. Not pleasant, and this is less than 1 minute from the centre of Commercial street

Further problems 12th May 2015 WILDINGS

While carrying out a routine inspection of the rear of our store, I noticed two individuals behind the bins pulled up by the wall of river island.

They were drinking, and something else, looked like drug taking but I felt too intimidated to stay. I have spoken to the river island manager and between us, we have dragged out the bins, and moved the heavily soiled mattress. The whole area is being used as a toilet, and is an environmental health issue. There are clothes and fabric which will attract rats and worse.

I have radioed through and spoken to a police officer, as 101 was in a que for 20 mins. by the time I got through they had gone.

I have now reported this and the crime ref is 257 12.5.15

Appendix D Letter to the Leader from Liberty

LIBERTY
PROTECTING CIVIL LIBERTIES
PROMOTING HUMAN RIGHTS

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Cllr Robert Bright
Newport City Council
Civic Centre
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Also by email to bob.bright@newport.gov.uk

5 October 2015

Dear Sir,

Proposed Public Spaces Protection Order

I write on behalf of Liberty to express concern regarding the proposed Public Spaces Protection Order for Newport City Centre ('the PSPO'). We understand that you are currently consulting on the proposed PSPO and the consultation period will close today. The proposed PSPO would impose a blanket ban on a number of activities, including begging, rough sleeping and free printed leaflet distribution. We write to urge you not to proceed with the proposed PSPO, as it represents a significant and unjustified threat to civil liberties.

Article 8 of the European Convention on Human Rights ('the Convention') protects the right to respect for private and family life and Article 10 protects the right to freedom of expression. These rights, taken together, protect the rights of the people of Newport and Newport City Council ('the Council') is legally bound not to take steps which would lead to any unlawful and disproportionate interference with them. Any such interference would leave the Council vulnerable to legal challenge. We consider that the proposed PSPO would, if implemented, be an unlawful and disproportionate interference with the fundamental rights of the people of Newport.

1. Proposals to ban rough sleeping and begging

In our view, your proposed measures relating to rough sleeping and begging constitute an interference with Articles 8 and 10 of the Convention. As you will be aware, the Council is bound by section 6 of the Human Rights Act 1998 not to act in a way which is incompatible with any rights contained in the Convention. The measures interfere with these rights in two ways: first, rough sleeping and begging are 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. Second, 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.

Given the broad nature of the prohibitions in question, such interference requires careful objective justification and, crucially, must be proportionate if the PSPO is to be lawful. We are concerned that your proposed PSPO is entirely disproportionate to the purported aims, for the following reasons.

The proposed blanket ban on rough sleeping and begging is gravely concerning as it will target vulnerable members of society with financial penalties that they cannot afford. Statutorily, PSPOs are to be used to restrict activities which have a detrimental effect on the quality of life of local residents. Your consultation justifies the imposition of the PSPO on the purported basis that “*some rough sleeping in the city centre has led to fires, criminal damage and a proliferation of abandoned drugs paraphernalia.*” No details of the evidence linking rough sleeping to increased crime or the ‘proliferation of abandoned drugs paraphernalia’ are provided, and you do not appear to have considered what other, individualised, measures might be available that will actually address these problems.

To the extent that the objective of the proposed PSPO is to prevent fires, criminal damage, and drug misuse, it is unable to do so. A PSPO is an extremely blunt measure. The only means of enforcing a PSPO is by way of a Fixed Penalty Notice (FPN) or, upon prosecution for failing to pay a FPN, a fine of up to £1,000. A PSPO does not give Council Officers, or Magistrates any other additional powers. We cannot see how a new power to fine homeless people for sleeping rough targets the specified problems of fires, criminal damage and drug misuse; nor will it do anything to address the underlying causes of homelessness. Its only effect will be to draw vulnerable and impoverished people, many of whom will be suffering from mental health conditions, into the criminal justice system and into a downward spiral of debt. A PSPO does not enable you to house people, move them on, or engage in any other intervention that will resolve their homelessness. It will simply empower your officers to fine them. As such, it is entirely disproportionate to the stated aim.

The proposed blanket ban on begging raises similar concerns, as it would target highly vulnerable members of society who are destitute and likely to be dependent on begging to be able to meet their basic living needs. The Council has suggested that such a ban is needed because begging “*can be intimidating to the public*”. As with the proposals in relation to rough sleeping, the justification provided cannot sustain the breadth of the proposed PSPO. Your proposals are not limited to begging that can reasonably be perceived as being intimidating to the public but apply to all begging. There is a world of difference, in terms of detriment to the quality of life of those in the locality, between someone begging in an intimidating fashion and passive begging where an individual may simply be sitting on a street corner with a cap and a sign.

2. Fly-posting and free printed leaflet distribution

The PSPO would also criminalise fly-posting and the distribution of free printed leaflets, on a blanket basis. This aspect of the proposed PSPO also poses a significant risk to fundamental human rights.

In particular, the ban would restrict the right to freedom of expression under Article 10 of the Convention. The distribution of leaflets or pamphlets to those willing to receive such information is an important exercise of the right to freedom of expression¹. The proposed prohibition would inhibit campaigning by political or charitable organisations and the distribution of material by religious organisations. Does the Council intend to criminalise the distribution of political material during elections or the placing of posters to advertise local theatre productions? The exercise of the right to distribute leaflets or use posters is particularly effective in the city centre and to completely inhibit such expression in such a central location is a serious restriction. The proposal may also inhibit the right to protest under Article 11 of the Convention, as the distribution of information is often a key feature in meaningful protest.

A blanket ban such as this would clearly be disproportionate to the purported aim. The Council appears to have environmental concerns in mind as fly-posting may be “*unsightly*” and free leaflets are “*often dropped leading to an increase in littering which is detrimental to the city centre environment*”. However, there is existing environmental legislation which provides local authorities with targeted powers under the Clean Neighbourhoods and Environments Act 2005 to restrict the proposed targeted activities where the relevant authority is satisfied that “*the land is being defaced by the discarding of free printed matter*”. The consultation documents do not address the powers under the 2005 Act or explain why such powers are insufficient. Neither do they provide any evidence to establish that any problems with leafletting and/or fly-posting in Newport are of such severity that the proposed blanket interference with Article 10 rights would be justified.

3. Consultation

We are also concerned that no draft of the PSPO has been made available as part of the consultation and only vague details have been given in the consultation documents. In particular, we have significant concerns that the level of evidence that has been gathered is insufficient to render the proposed PSPO in compliance with the relevant provisions of the Anti-social Behaviour, Crime and Policing Act 2014 (‘the 2014 Act’). The behaviours targeted by the PSPO were decided at a meeting on 8 July 2015, from which there appear to be no publicly available minutes, agenda or written records detailing the evidence in support of the proposal.

Furthermore, from the publicly available documents it appears there has been very little, if any, consideration of the effect that the PSPO would have on the fundamental rights of vulnerable members of society or whether the proposals will impact differently on affected individuals depending on age, disability, sex and race religion or belief².

Finally, the drafting of the consultation questions themselves are also a cause for concern as they appear to conflate the proposed prohibited behaviour with alternative suggestions for help for the affected individuals. The online consultation questionnaire is phrased in

¹ This has been established in numerous cases before the European Court of Human Rights; see *Steel and Others v United Kingdom* (1999) 28 E.H.R.R. 603, *Incal v Turkey* (2000) 29 E.H.R.R. 449 and *Bowman v United Kingdom* (1998) 26 E.H.R.R. 1, all of which are cases in which the Court has found restrictions on the distribution of free leaflets to be in violation of Article 10.

² These requirements to consider both fundamental rights and equality objectives are set out in s.72 Anti-social Behaviour, Crime and Policing Act 2014 and s.149 Equality Act 2010 respectively.


strikingly non-neutral terms. It is, by design, an extremely unreliable measure by which to consult the public and/or to garner evidence that the listed activities are having sufficient 'detrimental effect' to meet the evidence requirements of the 2014 Act.

4. Conclusion

We understand that your main motivation in proceeding with the proposed PSPO at this time is the imminent opening of the Friars Walk retail development³. Following the significant outcry over the destruction of the Newport Chartist mural in order to make way for this development, we understand that the new retail park will contain artwork commemorating the Chartist's struggle and that the People's Charter will be engraved on steps leading to the retail park. The Chartists, whose political demands were in large part motivated by widescale poverty and homelessness, made extensive use of the distribution of free newspapers, pamphlets and posters in galvanising support for their cause. In light of this, your plan to criminalise rough sleeping, begging, fly-posting and leafletting in order to make way for a new retail development is a gross affront to the Chartists' Newport legacy.

Liberty would urge you not to pursue this PSPO or, at the very least, to make significant amendments to the PSPO so that it does not amount to a blanket ban on rough sleeping, begging, fly-posting and the distribution of free leaflets. If the PSPO is adopted without significant revision, then this will amount to a dangerous, disproportionate and potentially unlawful criminalisation of the public on unjustifiable grounds.

Yours sincerely,



Rosie Brighthouse
Solicitor
LIBERTY

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CC:

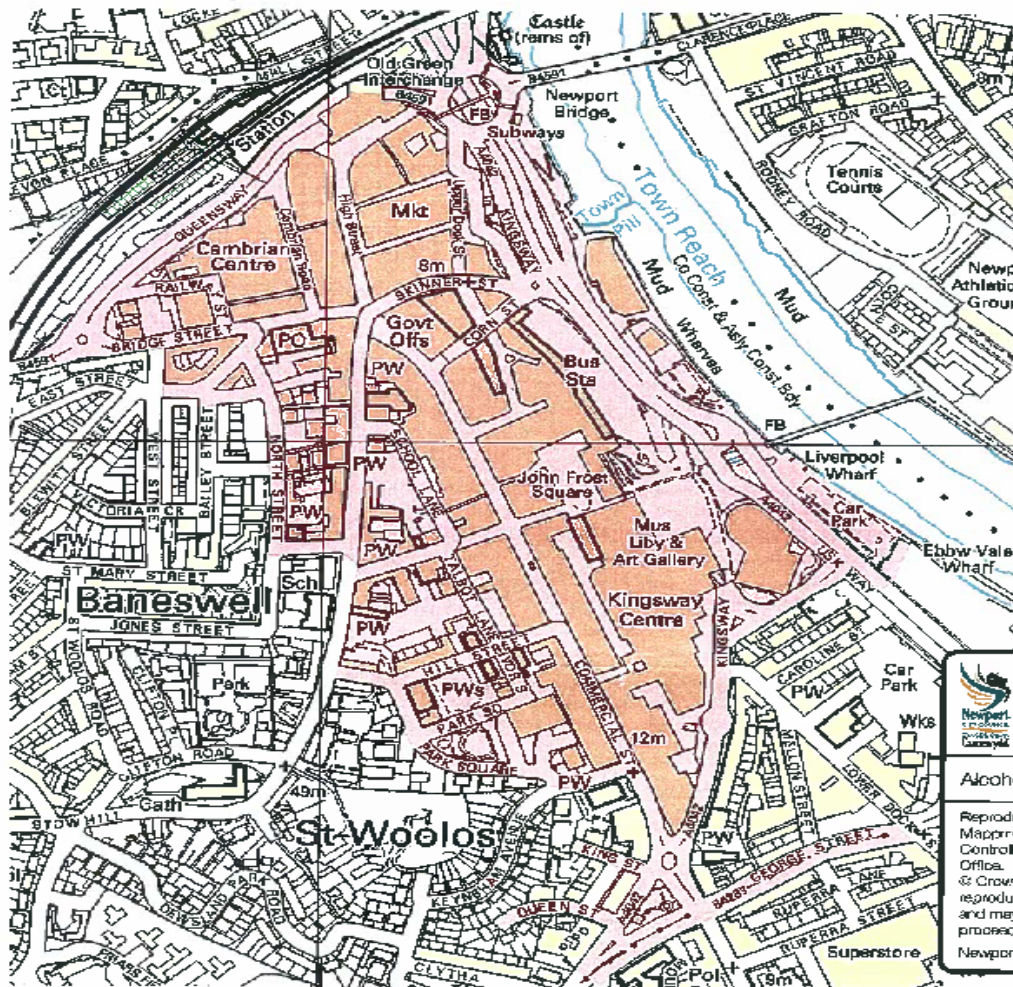
- (1) Will Godfrey, Chief Executive, Newport City Council**
- (2) Sheila Davies, Strategic Director – Place, Newport City Council**

³ Your consultation paper states "We therefore consider it timely to review [the existing alcohol exclusion zone] now, with a view to introducing a new and updated PSPO in time for the opening of the Friars Walk retail development in November 2015."

Appendix E

Current Boundary of Designated Public Space Order Alcohol Exclusion zone

Parth Gwahardd Alcohol Canol Ddinas Casnewydd Newport City Centre Alcohol Exclusion Zone



Newport City Council
Development Services

Alcohol Exclusion Zone

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Newport City Council 100024210 (2012).

Rhestr Ffyrdd / Ardaloeedd | List of Roads / Areas

- Baneswell Road
- Bridge joining Caerau Road
- Bridge Street - from the Railway
- Cambrian Multi Storey Car Park
- Cambrian Retail Centre
- Cambrian Road
- Capitol Multi Storey Car Park
- Cardiff Road - from junction of Commercial Street and George Street to frontage of 43 Cardiff Road and junction of Clytha Crescent
- Carpenters Arms Lane
- Caxton Place
- Charles Street
- Clytha Park Road from Bridge Street to roundabout
- Commercial Road - from Commercial Street to George Street
- Commercial Street
- Com Street
- Ebenezer Terrace
- Emlyn Street
- Emlyn Street to Kingsway Junction
- Emlyn Walk
- Footbridge from Riverfront to John Frost Square
- George Street
- Griffin Street
- High Street
- Hill Street - including Hill Street Car Park
- Ivor Street
- Kear Court
- King Street
- Kingsway
- Kingsway Centre
- Kingsway Multi Storey Car Park
- Market Square and Market Car Park
- Market Street
- Newport Bus Station
- Newport Castle and Grounds
- North Street - from Baneswell to the junction of Havelock Street
- Old Green Interchange including subways and walkways
- Palmyra Place
- Parish Road
- Park Square Multi Storey Car Park
- Pump Street
- Queen Street
- Queensway
- Railway Street
- Riverfront Car Park, Riverfront and walkway at the boundary of the car park
- School Lane
- Skinner Lane
- Skinner Street
- Station Approach and Subway to the Newport Railway Station
- Stow Hill - from Westgate Square to the junction with Havelock Street
- Stow Hill Surface Car Park
- Talbot Green
- Town Reach
- Upper Dock Street
- Uskway adjoining the boundary of the Riverfront Car Park and junction with Emlyn Street to Kingsway junction
- Victoria Place
- Victoria Road
- Waters Lane

Appendix F Proposed Extension to Order Boundary



Minutes

Streetscene, Regeneration and Safety Scrutiny Committee

Date: 15 October 2015

Time: 5.00 pm

Present: Councillors R Jeavons (Chair), T Bond, M Evans, P Huntley, D Harvey and M Cornelious

In Attendance: Councillor J Mudd (NCC Homelessness Champion)

Elizabeth Blayney (Senior Overview and Scrutiny Officer), Gareth Price (Head of Law & Regulation) and Helen Wilkie (Public Protection Manager)

Inspector Richard Blakemore and PC Leanne Pole (Gwent Police)

Apologies: Councillors C Evans, M Al-Nuami and S Mlewa

1 **Minutes of the Meeting held on 3 September 2015**

The Minutes were approved as a true and accurate record.

The Committee noted an error within the minutes of the meeting held on 4 August, that the opening date of Friars Walk was 12 November, not 15 November.

2 **City Centre Public Space Protection Order**

The Public Protection Manager presented the report to the Committee and outlined key areas for the Committee's consideration, including the submissions from:

- The Police;
- The Police and Crime Commissioner;
- The Public;
- The Store manager of Wildings on Commercial Street;
- Liberty.

It was highlighted that the Committee were being asked to make recommendations to the Cabinet Member and the Council on what they would include within the Public Spaces Protection Order (PSPO), and that this needed to be based on addressing specific problems caused by the activities.

The Committee received written statements from Councillors Mlewa and Al-Nuaimi in relation to the measures to be included within the PSPO.

Alcohol Consumption

Members questioned how the boundaries of licenced premises were defined and whether this included outside tables and chairs. Members were informed that the boundary was defined within each individual licence and this would be effectively the same as what was

currently in place under the alcohol ban. Members queried whether more could be done to highlight the boundaries of licenced premises, through a rope barrier. Members were advised that this was being discussed with the Streetscene team with the aim of creating more defined boundaries.

The Committee were advised that the offence under the current alcohol ban is committed only when, having being asked to stop, an individual ignores this request and continues drinking. This would be the same under the proposed Public Spaces Protection Order. Concerns were raised that by increasing the area of the city centre covered by the Public Spaces Protection Order, this would displace the problems associated with alcohol consumption outside the boundary, particularly around Commercial Street. The representatives from the police outlined to members that the Council's Anti-Social Behaviour team were meeting with the relevant officers from these areas to consider if there was sufficient evidence to support a separate PSPO for these areas. At present the Police officers were looking to target the behaviour of individuals concerned prior to a general ban being considered. It was highlighted that if this should go ahead in the future it would be the subject of a separate PSPO.

Rough Sleeping

Councillor Jane Mudd addressed the Committee as the Council's Homelessness Champion and made the following comments:

- The language within the consultation documentation was leading, and the consultation should have been wider to include the Supporting People Team, the Cabinet Member, the Fairness Commission, the Housing Team and all other stakeholders who would have had an input;
- There are already legal measures in place to deal with the antisocial behaviour outlined within the submissions, more should be done within these existing powers to address the issue rather than a ban on rough sleeping;
- The problem is antisocial behaviour, not rough sleeping – more needs to be done to define what the problem actually is;
- The inclusion of rough sleeping within the PSPO would target and criminalise vulnerable individuals, would be disproportionate to the problem and would be difficult to enforce.

The Representatives from the Police also addressed the Committee and clarified that the proposed order was not looking to criminalise those rough sleepers who were not causing other problems, and that the Police used discretion where appropriate and always offered support through available agencies to assist those in need of somewhere to stay. The purpose of including rough sleeping in the order would be to address those individuals who were not interested in engaging and accepting the support offered. Members questioned how the police have intervened in these circumstances, and were informed that the individuals were arrested.

Committee Members debated the merits of including Rough Sleeping within the PSPO.

The following issues were raised in **support** of its inclusion in the Order:

- It was acknowledged that we need to support the police in addressing these problems, and noted the evidence provided by the police and the public on the impact that the problems associated with rough sleeping were having upon the businesses and locals within the city centre.
- There was a difference between those who are homeless, and those who chose not to accept support offered.
- The level of support offered to all rough sleepers was discussed and Members noted that support was always available and offered to rough sleepers.

- Its inclusion in the order would address those individuals who were not interested in accepting help;
- Currently accepting help from agencies / charities is voluntary, the Police can only offer it. If it was to be included in the PSPO, it would allow the Police to address any individuals who refuse this help, noting that assistance was always available for those rough sleepers willing to accept help.

The following issues were raised in **opposition** of its inclusion in the Order:

- There were already procedures in place for the Police to deal with the associated anti-social behaviour without infringing on a person's liberty, and any anti-social behaviour should be dealt with through this existing legislation.
- It is not in line with the caring city that is outlined within the Corporate Plan;
- It could be seen as targeting vulnerable people;
- If we move rough sleepers on, we are not addressing the underlying issues facing rough sleepers.
- It was acknowledged that, if it was included in the order, the Police would use discretion, however it was argued that this issue should not rely on the discretion of the individual officers on any given night as this would place people who were not causing any other issues on the wrong side of the law, which it was argued was fundamentally wrong.

Clarity was sought on whether the PSPO could only address rough sleeping where it was accompanied by antisocial behaviour. The Head of Law and Regulation advised the Committee that it was not advisable to include subjective clauses within the Order as this would be harder to enforce and open to interpretation.

Begging

Members questioned if this measure would cover all types of begging, or only 'aggressive' begging. It was clarified that it would cover all types of begging. The Police representatives noted that there were a number of charities in operation within Newport that provided support for food and water where it was needed.

Members clarified that this would not cover Big Issue sellers, who were licensed.

Free Printed Leaflet Distribution

The Public Protection Manager outlined to the Committee that the main problem associated with the distribution of free printed material was littering. One method of addressing this problem could be to include this within the order, or another suggestion would be to allow stands for people to help themselves if they were interested.

Members discussed the extent of the littering problem highlighted, and it was clarified that this problem tended to fluctuate depending on businesses' advertising campaigns. The Head of Law and Regulation clarified that currently there was a fixed penalty for littering, and that the purpose of including it in this order would be to stop the leaflets being handed out in the first place.

Members acknowledged that littering resulting from the distribution of leaflets was a problem within the city centre, but some Members considered an outright ban would be a constraint on freedom of speech and would be disproportionate to the problem. The Committee also noted that this would mostly impact upon small business owners.

Dogs not on leads

Members noted the support from the public within the consultation on this matter.

Canvassing of Services/Charities/Direct debits (unless covered by a street collection permit)

Members questioned what types of activities were currently covered by street collection permits, and were informed that this was mainly collection tins for charities, and that the activities that this order would be addressing were companies, charities etc. looking to collect direct debits.

Pavement Advertising Boards ('A' Boards)

Members discussed the problems associated with 'A' Boards, namely that they sometimes presented an obstruction to the footpath. Members noted that there were existing powers under the Highways Act to address instances where 'A' Boards posed an obstruction to the pathway, or a safety issue.

Fly Posting

Members noted that this was currently illegal, and questioned what impact the order would have on addressing the problem. Members were informed that this would allow the police to address the issue more quickly with fixed penalty notices.

- 1) The Committee **recommends** that the Council should include the following measures in the Public Spaces Protection Order:
 - Alcohol Consumption;
 - Rough Sleeping;
 - Begging
 - Dogs not on leads
 - Canvassing of Services/Charities/Direct debits (unless covered by a street collection permit);
 - Fly Posting.

(Note: Councillor Bond was not in support of the inclusion of Rough Sleeping within the Public Spaces Protection Order.)

- 2) The Committee **recommends** that the boundary of the Public Spaces Protection Order be extended, as per the map at Appendix E.
- 3) With regard to the distribution of free printed materials, the Committee noted that there were problems being caused by this, notably littering. The Committee did not agree that a Public Spaces Protection Order is the most appropriate and least restrictive method of addressing this problem. The Committee **recommends** that the Council work with the Business Improvement District Board to try and put in place measures, such as a code of conduct for business operators, to address the problem of littering caused by the distribution of free printed material.

The Committee noted the concerns with regard to potential displacement of the current problems with alcohol consumption outside of the proposed City Centre boundary. The Committee **decided** to include an update on the implementation of the Public Spaces Protection Order (once approved by Council) on its forward work programme, to be reported to the Committee after 6 months. This update should also include detail of any issues of displacement of any of these problems outside of the proposed new boundary.

Appendix C Letters from the Public Fund Raising Association



Registered and postal address:
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London SE1 0NZtel: +44 (0)20 7401 8452
• info@pfra.org.uk
19th October 2015

Consultation response: proposed PSPO restrictions on assertive or aggressive Charity collections in Newport City Centre

The Public Fundraising Association (PFRA) is grateful for the opportunity to respond to Newport City Council's proposed Public Spaces Protection Order. The PFRA is the self-regulatory membership body for charities and companies carrying out street and doorstep Direct Debit fundraising. We work with councils to set up co-regulatory voluntary agreements that control fundraising in local areas and set the standards under which its membership are required to operate.

While the current PSPO proposals affect several different activities in the town centre, we are responding specifically to the Council's wish to include "canvassing of services or charities wanting direct debit payments (unless covered by a street collection permit)". The PFRA acknowledges that Newport has on occasion experienced poor fundraising practice, which is clearly unacceptable, and completely agrees that effective action is needed.

Site Management Agreements – A Track Record of Success

The PFRA has set up local agreements between its member charities and over [100 councils](#) which control where, when and how many direct debit fundraisers can work in their areas. This service is free of charge to Councils and is approved by both Central Government, the Local Government Association and our partner councils as an effective means of regulating this type of fundraising.

We operate a [rulebook](#) which sets out behaviours expected of fundraisers and a financial penalty points system applies to charities and fundraising agencies in cases where these rules are breached. These rules are enforced by a rigorous system of compliance checks by PFRA staff and an extensive mystery shopping programme, which means on average our members are inspected at least twice a week.

Most importantly, by signing up to an SMA, your own staff would be able to issue penalties for poor performance. For example, last year, almost 20% of all penalty points issued were done so by local authority officers – an important development in our partnership work with Councils. Over the last decade, the PFRA has established clear and consistent standards for direct debit fundraisers which can be objectively applied in practice and controlled locally through Site Management Agreements.

We believe that by working with us, the Council can put in place effective local controls, which tackle overly aggressive behaviour. Our agreements between charities and local authorities already provide an effective, cost free way for councils to control direct debit fundraising in town centres. This is borne out by testimony from other Councils, **86%** of whom in our latest survey said they would recommend an SMA to others. **79%** of Councils also said that an SMA had been successful in controlling fundraising activity.

The PFRA's position on PSPOs

With this alternative in mind, the PFRA considers PSPOs to be disproportionately severe, costly for local tax payers and potentially damaging to local charity work. Whilst we know from experience that occasional poor fundraising practice can be a significant issue for local people, charitable funds raised through this method also make a huge contribution to enhancing the lives of local people. We estimate for example that over £80 million for local causes was raised in the UK last year alone through this method, providing much-needed care for the most vulnerable in our society.

We therefore question whether a PSPO which potentially criminalises fundraising on “quality-of-life” grounds is an appropriate and proportionate tool. According to the Anti-social Behaviour, Crime and Policing Act 2014, an authority contemplating the introduction of a PSPO must meet two conditions.

The first condition is that there are ‘reasonable grounds’ for prohibiting the activity. Having sought legal advice on PSPOs, the PFRA’s view is that for such grounds to be reasonable, the decision to classify behaviour as anti-social would have to be evidence-based and carefully balanced against counter-veiling evidence regarding the positive impact of the activity in question. While we acknowledge that instances of poor practice can occur in any sector, the overwhelming majority of fundraisers treat members of the public with respect.

The consultation paper’s proposed PSPO wording on fundraising highlights the difficulty of defining behaviour through laws which are likely to be subjective in the way they are interpreted and applied by officers. Whether fundraising is considered “assertive” or “aggressive” may vary according to the individual being approached (indeed, whether fundraising merely being “assertive” constitutes a public nuisance is in itself contestable). For this reason, the PFRA’s rule book on street fundraising sets out precisely the negative behaviours which breach its code of practice, to ensure that all parties are clear on the standards that can reasonably be expected of fundraisers.

The second condition is that the effect of the activities is detrimental to quality of life; likely to be persistent/continuing; likely to make the activity unreasonable; and justifies the restrictions imposed by the PSPO. The consultation paper acknowledges that fundraising “comes and goes as an issue”, suggesting the activity is potentially unlikely to meet the criteria of being a “persistent/ continuing” problem. We also believe that any authority introducing a PSPO must prove that the restrictions imposed are proportionate to the harm caused by the activity. Again, we believe any perceived benefit to residents’ quality of life delivered by a PSPO should be balanced against the significant benefits that donations received through this method deliver to local people.

While we recognise that PSPOs are an important part of the regulatory toolkit available to councils, we would consider PSPOs covering direct debit fundraisers to be a last resort in cases where Site Management Agreements have been ineffective. We would therefore urge the council to consider working with us directly on this issue to resolve it in a way that provides a mutually satisfactory outcome for local authorities and charities, without jeopardising what is a vital source of income for local causes.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Hills-Jones', written in a cursive style.

Mr Peter Hills-Jones

Chief Executive, Public Fundraising Association



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• www.pfra.org

13th November 2015

Dear Councillor,

Newport Proposed Public Space Protection Order – direct debit fundraising

The Public Fundraising Association is the membership body for charities and agencies carrying out street and door-to-door Direct Debit fundraising. We exist to promote high standards in fundraising and ensure that our members are adhering to those standards at all times.

I am writing on behalf of the PFRA's members in advance of your meeting later this month to request that you to reconsider the recommendation to include direct debit charitable fundraising within the scope of a proposed Public Space Protection Order. I would also like to reaffirm the PFRA's willingness to engage with Newport to establish a voluntary agreement in place to control this activity.

Our consultation response sets out the added control that voluntary agreements, which are in place with over 100 authorities, can offer you in managing this issue. We have already set out our position in relation to PSPOs more broadly and we are grateful to officers for including this letter in the report to full council this month. However, we also have some specific concerns regarding the process of the PSPO consultation as it applies to charities. In establishing which restrictions or requirements should be included, Home Office guidance states that "the council should ensure that the measures *are necessary* to prevent the detrimental effect on those in the locality or reduce the likelihood of the detrimental effect continuing, occurring or recurring". The PFRA has made previous approaches to Newport on establishing an agreement and would note that several of your neighbouring authorities have implemented an SMA, including Cardiff. On this basis, we would argue that there have been previous opportunities for a voluntary alternative to be discussed with us to reduce the detrimental effects that poor direct debit fundraising practice can cause without the need for a PSPO.

We understand that Council members will be asked to act on the recommendations within the PSPO committee's report following the meeting on 15th October. However, as the Committee's initial discussions took place without considering either the contents of our initial letter or the PFRA's track record with other authorities, we would strongly dispute how thoroughly its recommendations have explored non-statutory alternatives, which could work more effectively with the charity sector and at zero cost to your authority.

A further concern is the wording of the consultation questions, which made no distinction between charities and the "canvassing of services", presumably for commercial purposes. This did not take into account the possibility that consultees may be likely to feel differently about being spoken to in the street, if the purpose is charitable fundraising as against the commercial purposes of all other types of services.

The PFRA and its members recognise that in the current drafting of the legislation, right of appeal against a PSPO is not possible once it has come into force. We are keen to avoid what our members see as a costly and unnecessarily combative process of seeking judicial review.

For this reason, we would ask you to carefully review the above points in advance of a decision and consider working with us directly to control direct debit fundraising via a voluntary Site Management Agreement, perhaps on a trial basis, before contemplating a statutory measure.

Yours sincerely, Mr Peter Hills-Jones Chief Executive,
Public Fundraising Regulatory Association

Appendix D **Fairness and Equalities Impact Assessments F&EIAs** **For Proposed Newport City Centre Public Space Protection Order Nov 2015**

This form presents evidence that equalities, Welsh language and fairness have been considered when taking policy and service delivery decisions in Newport City Council. Our Equalities focus is taken from the Equalities Act 2010: we consider the nine protected equalities characteristics- age, gender reassignment, disability, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation.

Under the General Equality Duty we have a duty to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations across the nine protected characteristics.

Under the Welsh Language Measure 2011 the Welsh language cannot be treated any less favourably than the English language

In Newport we focus on Fairness through the following themes: Health, Poverty, Skills and Work, Domestic Abuse and Tackling Area Based Deprivation

1. What is the policy/ service being assessed?

Proposed Newport City Centre Public Space Protection Order– Anti-Social Behaviour, Crime and Policing Act 2014, to put in place the following measures

No consumption of alcohol outside of areas covered by Licensing Act 2003 premises licences

No approaching people in a persistent manner to persuade them to subscribe to a service or to make charitable donations- by direct debit, standing order or similar.

Dogs to be kept on leads.

No flyposting

No Begging

No rough sleeping, where the offer of accommodation from shelters and hostels has been unreasonably refused.

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; and be unreasonable.

2. What is the purpose of the policy/ service change?

Currently there is in existence a city centre designated public place order (DPPO) also known locally as an “alcohol exclusion zone” which restricts the consumption of alcohol to premises covered by a licence under the Licensing Act. We consider it timely to review it now with a view to enacting a new PSPO. We could have simply replicate the current alcohol prohibition, but it is a good opportunity to consider what other restrictions might be introduced to combat any other forms of anti-social behaviour deemed “detrimental to the quality of life” and persistent/ continuing in the city centre.

Following consultation, results of which were collated in the Scrutiny Ctt report on the subject of 15/10/15, and recommendations from that Scrutiny Ctt, the above 6 measures have been put forward as conduct/activities that should be curtailed.

3. Protected Characteristics

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
Age Gender reassignment Disability Marriage/Civil Partnership Pregnancy and Maternity Race Religion/belief (or the absence of) Sex Sexual Orientation Welsh language	<p>All city centre users- workers, consumers and residents.</p> <p>The city centre is used by inds with all these characteristics- probably very similar in profile to that of the whole of Newport, although the city centre does attract workers/ visitors from further afield.</p> <p>8.55m “footfalls” in 2014</p> <p>There is a sizable number of substance dependant people who frequent the city centre for support services, some who also beg and a smaller group, say under 20, who rough sleep- mostly men, but some women of various ages. Some originate from Newport, others from much further afield. Many of the support services upon which they depend,</p>	<p>This decision would see fund raising by way of soliciting direct debits, rough sleepers who have refused accommodation and begging prohibited.</p> <p>Evidence provided by the police of an increase in crime as a result of begging and the problems that traders and visitors experience from some rough sleepers.</p> <p>This was echoed in some of the consultation responses. Notably around human waste, discarded needles and other mess left behind along with the fear that was expressed by some people, particularly in the evenings in the city centre.</p> <p>It is believed some of the begging is to fund substance addiction.</p> <p>There are agencies operating in the city centre providing rough sleepers /beggars with food at some times of the day and there are shelter/ hostel places available, but for various reasons some individuals choose to</p>	<p>Engagement is very challenging with respect to those who beg or choose to rough sleep.</p> <p>A Review is perhaps needed to look at better targetted interventions as opposed to simply distributing food and to ascertain why these individuals choose to beg in Newport and not use the accommodation offered.</p> <p>Agencies to consider alternative accommodation provision that these individuals would use perhaps. Consider moving support services away from the main retail district?</p> <p>Consider setting up a multi-agency case management panel to consider the support needs of each individual including their housing situation, physical and mental health needs. Their offending behaviour is assessed and an appropriate plan put in place to move people off the streets and into accommodation and support.</p> <p>Where engagement with the large</p>	<p>Relevant Heads of Service</p>	<p>6 months</p>

Protected Characteristic	Who are the customers/service users/potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
	<p>are to be found in the city centre.</p> <p>Research was undertaken by Wallich in Dec 14 to look at “<i>Accommodation for Supporting People with Enduring Alcohol Problems</i>” It found at that time there were 27 street drinkers in the Newport area. Mainly male and between 40 and 60 years. All white. All had experiencing homelessness recently but their current accommodation status varied- moving in between rough sleeping, sofa surfing and private accommodation. Negative attitudes towards the current supported housing options in Newport and issues with their current tenancy. Many reported having been evicted- some because of the rules. The research was</p>	<p>rough sleep instead. Under this order they would be subject to a criminal sanction if they continued, fine etc. but it may not necessarily solve the anti-social behaviour/ fear, some of them cause and it may lead to displacement elsewhere, say into Pill, Manidee. Partly they are in the city centre because their support services are here too. Other cities have these services placed outside of the main retail district.</p> <p>There is a Rough Sleepers Intervention Team managed by the Wallich that tries to engage with individuals who are sleeping rough offering practical support, help and guidance. The service links to the statutory services provided by the Council and where individuals engage, every effort is made to jointly find a solution to the presenting issues which will include accessing accommodation. The problem is very much that some individuals do not wish to engage with the Council and as such this limits in what can be done.</p>	<p>number of local support services fails, enforcement action may be taken as determined by the panel. This approach balances the needs of the individual, principally substance misuse, physical and mental health concerns, with the need to tackle anti-social behaviour, respond effectively to complaints from the public and take action against illegal activities. Also, further consultation/ engagement with rough sleepers to find out their needs so as to enable them to move away from rough sleeping in the city centre. Suggestion of “Pods” for RSs As they can be placed in a small area, allow RSs to keep their dogs and can be put up and taken down quickly. Young rough sleepers have been assisted by a variety of measures elsewhere including Nightstop projects and emergency beds in some schemes/churches.</p> <p>Re the charity donations- propose to work with the Public Fundraising</p>		

Protected Characteristic	Who are the customers/service users/potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
	aimed at assessing accommodation options for people with enduring alcohol problems. Some rough sleepers have dogs which excludes them from most provision. A lot of RSs have arrears of rent etc. which again can exclude them from some services.	There will also be individuals who are excluded from some services owing to their past/current conduct and behaviour. Options are then even more limited for these individuals and whilst efforts are made to seek solutions, this again does come down to the level of engagement between the individuals and services. Re. the charity direct debit fund raisers -Shoppers etc. could give charity donations in other ways.	Association to try to ensure their members do not breach the order.		

4. Who has the service consulted regarding the proposed change? When should new consultation take place?

NB: It is essential that service users and other interested parties are involved in the planning process at the earliest opportunity. Consultation at an initial stage should be along broad themes. It is appropriate to ask what services are valued, how services could be changed and or what could be done differently. This feedback should then inform your business case proposals and the F&EIA. When specific proposals have been drawn up, they too will need to be consulted upon. All stakeholders and their views need to be represented.

Public consultation ran from 24 August to 5 October 2015 as to the possible city centre PSPO measures following the Scrutiny Committee 4 August 2015 meeting which considered the subject. The public were also invited to suggest other measures and also to comment on the possible boundary of the PSPO as to whether it should be the same as the current order or different.
Details of the consultation and the results are contained in the 15 October 2015 Scrutiny Ctt report.
Consultation for the Council report with regard to rough sleepers and support services and more that could be done.

5. What evidence/ data has been used to complete this F&EIA (This will include local and national guidance)

Stow Hill ward profile. <http://stellentcons/stellent/groups/internal/documents/report/cont731313.pdf> However, the ward profile describes residents but not the wider profile of users of the city centre who would be affected by the proposed PSPO - workers/ shoppers/ traders etc. these will be many and varied.

Police evidence as to issues -contained in the report to Scrutiny 15/10/15

Consultation commentary from council officers /members/ public/traders as to issues.

Stats from the police- last 24 months ROBBERIES 5 –known homeless have been named as being responsible. THEFTS (Including shoplifting by known homeless, purse snatches, theft from persons with no force i.e. not a robbery but classed as theft only) 31

ASB (including using class A drugs in public / drinking in public / being aggressive to persons and violence incl fighting) 205 - resulting in 19 arrests BEGGING 135 - which has resulted in 22 arrests, 19 of these being this year alone

HOMELESS / SLEEPING ROUGH (including calls where homeless persons are breaking into / entering derelict buildings in order to sleep) 100 calls, (62 this year).

Dec 14 Wallich report “Exploring the Accommodation Needs of Street Drinkers in Newport”. Evidence from the Supporting People Team and the Homeless Needs Team and the Wallich.

6. How will the relevant groups be advised of the changes and the F&EIA?

Via publicity and specific leafleting once it is known which measures are in the final approved order. Specific contact with charities, rough sleepers, inds. begging to notify them of the changes and what it means for them and give them advice as to any alternatives that will not breach the order.

7 How will the policy/ practice make Newport more or less fair in relation to:

- **Homelessness**
- **Health Inequalities**
- **Alcohol and Substance misuse**
- Skills and Work
- Tackling Domestic Violence
- Armed Forces Veterans
- Child Poverty

The main relevant themes are the first three highlighted above

Open alcohol consumption (outside of premises licence) and illegal substance use in the city centre needs to be controlled because of the behaviour issues by those under the influence. Other city users find such behaviour intimidating.

Frequent year on year perception surveys of Newport residents say they feel unsafe in the city centre, especially at night.

It is currently already an offence to drink alcohol in a public place in the city centre if asked by a police officer not to do so. Incidents of street drinking take place during the evening – club goers “preloading” or people drinking alcohol in public areas during the day, some are what are termed “street drinkers”, some of whom may also sleep rough. There is access to a range of support services including GPs, rehabilitation and hostels –some that allow drinking, but not to excess. Safeguarding issues are dealt with through agencies established safeguarding practices and referrals into appropriate support agencies. Anyone under-18 found drinking alcohol is committing an offence, and the police will take

appropriate action in line with their safeguarding responsibilities.

Homelessness -the council undertakes a variety of methods to ensure no one in the city is without a home: actively working with partners and other agencies to address.

The rough sleeper group in the city centre have complex social needs inc. substance addiction (and accordingly their health may not be good) and it is understood that for various reasons, which need to be more fully understood, they choose not to use existing available shelters/ hostels. The Dec 14 Wallich Report into "Supporting People with Enduring Alcohol Problems" gives some pointers: " All street drinkers stated experiencing issues with maintaining tenancies and a high usage of public services, signifying the need for an appropriate accommodation model to support them in maintaining accommodation and decreasing their public service use".

Further details further from Wallich are that there are about a 12-16 rough sleepers in the city centre, but it fluctuates as individuals drift in and out of various accommodation including sofa-surfing. The police report that quite a few of the rough sleepers also beg.

Wallich say there around 8 individuals who are entrenched rough sleepers in the city centre with a number of other individuals sleeping rough occasionally, with around 16 – 20 individuals seen each week by the service. Some individuals who sleep rough in the area are not connected to Newport but in the main, they are the ones who tend to be passing through and do not then stay.

8. How will the service / policy affect local areas of the city?

Will it have a positive or negative impact in terms of fairness and addressing local area deprivation (you will need to use spatial data available through the Newport Profile and specific Ward Profiles to address this question)?

A few locally deprived users/ residents of the city centre will most certainly be negatively affected by the order in that it will prohibit begging and rough sleeping which they and others will feel that they have the rights to do in difficult personal circumstances.

The vast majority of the residents and users/ businesses of the city centre will be unaffected in any negative way by the proposed order and may well see the measures as having the potential to improve the quality of their city centre "life" and for their businesses to thrive. The Stow Hill ward does suffer from deprivation and the increase in footfall from the new city centre developments will offer significant residential/ retail/ work opportunities.

9. In summary, how does the changed service /policy promote good community relations (cohesion)?

It is reasonable aim to try to make the city centre a pleasant place to visit, live in and do business in. At present there does appear to be the tension between the rights of users of the city centre- business, shoppers, workers, visitors, who are frustrated at what they see as inaction and want the council /police to tackle anti-social behaviour from beggars, fund raisers etc. who pester them or worse, or from individuals whose lifestyle presents hazards- from human waste, drugs gear/needles, rotting food, aggression; and the rights of some individuals who have ended up in the city centre living chaotic lifestyles, some with mental health/addiction issues, some because their support services are here, but at the same time their behaviour is engendering difficulty, fear, anxiety for others.

10. In summary, how does the changed service /policy promote equality/ eliminate discrimination?

One could argue this proposed order does discriminate against those who chose (or feel they have no alternative) to beg/ sleep rough. Also whether the order is the best way of dealing with these issues that clearly need to be addressed. Others could argue that they have the right not to be frightened/ intimidated in the city centre. Certainly they are issues the public and local residents feel very strongly about as having a negative bearing on their perceptions of the city centre and of feeling unsafe through some instances of intimidation, unpredictability of behaviour and human waste/ needles some leave behind. The Police would argue they receive many incidents from the public relating and need powers to try and address the problems.

It is suggested that we could adopt the action taken by Oxford city Council when they considered the issues of begging namely:

“A case management panel of officers from the police, city council and outreach team meet on a monthly basis to discuss individuals who beg in the city centre. The support needs of each individual are considered including their housing situation, physical and mental health needs.

Their offending behaviour is assessed and an appropriate plan put in place to move people off the streets and into accommodation and support.

Where engagement with the large number of local support services fails, enforcement action may be taken as determined by the panel. This approach balances the needs of the individual, principally substance misuse, physical and mental health concerns, with the need to tackle anti-social behaviour, respond effectively to complaints from the public and take action against illegal activities. Research commissioned by the city council in 2012 supported the conclusion from other national research that the majority of money from begging is spent on drugs and alcohol.

Very little is spent on shelter or food.”

More work could be commissioned through the Supporting People Team and other partner agencies and other support groups.

Version 1- Following Scrutiny Committee Recommendations

**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.
6. No person shall sleep rough within the restricted area if that person has unreasonably refused an offer of accommodation.
7. 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).
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:-)
)

Version 2- Following the Cabinet Member for Regulatory Functions' Recommendations

**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:-

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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.

Dated:

Signed:

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NEWPORT CITY COUNCIL was)
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Appendix G: Map of boundary to the proposed City Centre Public Space Protection Order

