

Minutes



Council

Date: 24 November 2015

Time: 5.00 pm

Present: Councillors D Atwell, M Al-Nuiami, O Ali, T Bond, R Bright, P Cockeram, M Cornelious, K Critchley, E Corten, D Davies, V Delahaye, C Evans, M Evans, C Ferris, D Fouweather, E Garland, G Giles, J Guy, D Harvey, P Huntley, R Jeavons, C Jenkins, M Kellaway, M Linton, D Mayer, C Maxfield, S Mlewa, R Mogford, R Poole, J Mudd, M Rahman, J Richards, M Spencer and C Suller

Apologies: Councillors P Hannon, R Hutchings, A Morris and T Suller

1. Preliminaries

Minute of Silence

Members, officers and members of the public stood in silence in memory of Mrs Sue Critchley, a former Mayoress of Newport and the wife of Councillor Ken Critchley. Members, officers and Members of the staff also paid their respects to the victims of the terrible events in Paris on 13 November. The Mayor mentioned he had written to the Mayor of Paris passing on Newport's sympathy and support

Extra Mile Awards

The Mayor was delighted to present an Extra Mile Award to Gillian Evans and to Angeline Tshiyane

Gillian and Angeline are care staff at whose actions played a significant role in making sure a tenant was safe when there was a fire in one of the flats at a care unit in Newport. This was an extremely brave act and both ladies showed courage in helping a resident in such circumstances. The Cabinet Member for Adult & Community Services mentioned that Angeline had been nominated as Community Coach of the Year.

Members applauded both ladies as the awards were made by the Mayor

Recent events

The Mayor thanked everyone involved in the fantastic opening of Friar's Walk. It had been a great day for the City and everyone who had contributed to the project. He praised all Members of the Council for their decision in relation to funding the scheme and made specific mention of the significant and insightful role of the Leader of the Council

The Mayor also passed on his thanks to involved in the organisation of the Remembrance Day Parade and the people who turned out on the day to pay their respects

The Mayor referred to the very successful Switching on of the Christmas Lights. Once again he passed on thanks to everyone involved and to the large numbers who came out to enjoy the evening

2. **Minutes**

The minutes of the meeting of the City Council held on 29/09/2015 were confirmed as a true record and signed by the Mayor

3. **Appointments**

The following appointments were to be implemented:

Scrutiny Committee for Learning, Caring and Leisure: Cllr David Fouweather was appointed to replace Councillor Atwell.

Raven House Trust: Councillor David Fouweather appointed

Governors:

- Caerleon Comprehensive School: Councillor Martyn Kellaway was appointed to replace Mrs C. Atwell
- Ringland Primary: Mr David Sutherland was appointed
- Laura Emily Dunn had given up her post on Malpas Church in Wales School and taken up a post at Duffryn High School

The following individuals were re- appointed:

- Alway Primary – David Jones
- Ysgol Gymraeg Casnewydd: Alan Speight
- Pillgwenlly Primary: Edward Watts
- Milton Junior: Malcolm Linton
- Malpas Park: Bill Langsford
- Malpas Court: David Mayer

4. **Police Issues**

The Mayor welcomed Superintendent Joanne Bull to the meeting

In response to Councillor Townsend, Superintendent Bull stated that the Police have definitions by way of the law in relation to persistent begging, and that work would need to be done with the local authority in relation to a definition of aggressive begging

In response to Councillor Truman, Superintendent Bull agreed to raise with local officers issues about speeding traffic in the ward. The “Your Voice” campaign allowed local people to express a view on priorities for local officers. The same level of service should be available despite changes in local personnel

In response to Councillor Jenkins, Superintendent Bull explained that anti- social behaviour, such as that reported in Clarence Place, was a priority. Addressing burglary was a priority throughout Newport and there had been some recent successes

Superintendent Bull informed Councillor Wilcox that she would raise with local officers the concern that an apple tree in the ward had become the focus of antisocial behaviour

Councillor Giles was concerned about the turnover of staff in the Caerleon area and considered that some consistency would help staff be aware of local issues. Councillor Giles also mentioned the two officers who recently received awards for an act of bravery. Superintendent Bull stated that since the restructure, efforts were being made to retain continuity.

Superintendent Bull informed Councillor Maxfield of the powers the Police have under the Vagrancy Act and the duty of care for people who are homeless

Councillor Mlewa mentioned a rise in local crime, in particular criminal damage at the same time that staff levels had decreased and questioned if there was a correlation. Superintendent Bull stated that local officers were working hard to address criminal damage and antisocial behaviour. The challenge as the budget reduced were to maintain services locally and eliminate waste

Superintendent Bull informed Councillor Ferris that antisocial behaviour powers could be used to address the issue of people on bikes in Friar's Walk and the city centre

Superintendent Bull informed Councillor Ali of action being taken locally on local issues in Pill and all options were being explored

Councillors Kellaway, Cockeram and Al Nuaimi wanted to record thanks to local officers

Superintendent Bull agreed to discuss specific issues relating to drug dealing with Councillor Harvey

Superintendent Bull informed Councillor M Evans that conversations as to definitions within the proposed Public Space Protection Order would need to be had between officer and the Local Authority.

Cllr Critchley considered that low level crime is the main impact on the majority of people. He stated that reductions of local ward policing are of concern. Superintendent Bull stated that there was a need to prioritise services to the community. Working within local arrangements

5. **Notice of Motion : Supporting People**

Councillor Mudd moved the following motion for which appropriate notice had been provided:

Newport City Council:

- I. Acknowledges and supports the good work undertaken by Newport in providing a diverse range of housing related support services to vulnerable individuals to help them live a fulfilled, active and independent life, in a home environment that is right for their individual needs.
- II. Supports the continuance of the Supporting People grant programme funded by the Welsh Government to assist and support potentially vulnerable and marginalised people to live independently within the community.
- III. Calls upon the Welsh Government to safeguard and not to impose any further reduction to the Supporting People grant.

- IV. Supports the joint campaign of Cymorth Cymru and Community Housing Cymru, “Let’s Keep on Supporting People” to safeguard the Supporting People grant programme budget.
- V. Invites all Members of the Gwent Regional Collaborative Committee in their own areas and organisations to support this motion
- VI. Invites Constituency and Regional Members of the National Assembly to support this motion

The motion was seconded by Councillor Cockeram.

In presenting the motion, Councillor Mudd, as the Council’s Supporting People and Homelessness Champion, stated that the Supporting People Grant which was introduced in 2003 provides support to a wide range of for vulnerable people who are facing a variety of issues. Councillor Mudd mentioned that a number of people find themselves in difficulties through no fault of their own. Councillor Mudd described some of the schemes provided by the Grant. She made specific reference to the incidence of domestic violence.

Councillor Mudd stated that the Grant provides help for a preventative service which helps reduce demand and consequently reduces the call on other budgets. It is of major strategic importance to the authority and provides hope for individuals. Some 56,000 people were supported across Wales in 2014-2015 by this cross- cutting initiative. In England there had been significant cuts but in Wales the funding remained ring-fenced but the Welsh Government was reviewing the position. The continuation of the grant was crucial to the continuing support to help vulnerable people. Councillor Mudd considered there was a need to send a clear message to the Welsh Government on this issue.

Councillors Townsend, Truman, M Evans, Wilcox, Atwell, Bond, Guy and Cockeram spoke in favour of the proposal with comments made including

- This was a programme that could change lives
- The programme saves money further down the line by maintaining independence and providing preventative measures for vulnerable people
- There were significant benefits to individuals and their families
- Outcomes and results were noteworthy in many cases
- There were a number of organisations, families and individuals in Newport benefitting from services being provided by the grant
- For every pound invested some £2.30 was saved. Welsh Government was urged not to make any reduction in this grant
- The Grant clearly plays a role in tackling the effects of poverty
- It helps mitigate the effect of welfare reform
- Preventative programmes are essentially invest to save projects
- We have over £6m coming into supporting people in Newport. The Council would need to find a similar amount if the funds were not received
- The use of the Grant was outcome focussed

Resolved

To adopt the motion as set out in full above

6. Public Space Protection Order

Councillor Poole, as Cabinet Member for Regulatory Functions introduced a report on this matter by saying that public space protection orders were new measures brought in 2014 to allow councils to control anti-social behaviour in a particular public location. They were designed to prevent individuals or groups committing anti-social behaviour where that behaviour is persistent and unreasonable and is having, or is likely to have, a detrimental effect on the quality of life of those in the locality.

An alcohol exclusion zone in the city centre had been in place for some 12 years, but the introduction of these new powers had provided an opportunity to review and consider putting in place a new PSPO to counter other forms of persistent and detrimental behaviour.

Scrutiny had been asked to oversee public consultation on the issue, consider what responses came in and then to make recommendations to the Cabinet Member as to what measures they would want to see in a new Order.

The Cabinet Member stated he had considered Scrutiny's recommendations and also evidence and concerns from the police, the public, and businesses and from council officers and partner agencies, including those involved with housing needs and supporting people.

He was mindful of the importance of striking the right balance between protecting the public and respecting civil liberties and freedom of expression and movement. To this end he recognised the success of the Council's current housing and homelessness policies, and considered that existing anti-social powers were more appropriate than an outright ban in relation to rough sleeping and begging.

He recommended a version of the Order that did not carry a 'No rough sleeping' measure and in which the "No Begging" measure was replaced by the following: "No person shall beg in a manner which is aggressive or intimidating, or which harasses members of the public."

Councillor M Evans moved an amendment to support the original recommendations made by the Scrutiny Committee to the Cabinet Member which suggested that the Order should include the "No Begging" measure and the 'No rough sleeping' measure. This amendment was seconded by Councillor Fouweather

In moving the amendment, Councillor Evans stated that the £1,000 fine referred to in the media would be a final measure. He stated this was not an assault on the homeless but that no-one should be sleeping rough or begging on the streets. Councillor Evans stated that some people have to go to work in fear and can witness excrement, vomit and discarded needles. Councillor Evans had recently been on patrol with the police and had viewed the extent of these problems. Business people had said that needles on the floor were unacceptable. People needed support but so did the businesses. A lot of charities did not support begging as often any donations made in the street were used to feed habits and not for food. The Olive Branch was offering food for 50p per day. He considered the Order as recommended by Scrutiny to the Cabinet Member would provide additional powers to the police to deal with issues. Many people felt intimidated. Councillor Evans stated there was a need to work with agencies to help people but we also needed to help business and residents.

Councillors Fouweather, Ferris, Al Nuaimi, Atwell spoke in favour of the amendment for reasons including:

- Not all rough sleepers were beggars but it would be difficult for police to manage the issues of aggressive begging without a total ban
- There was no need for anyone to bring a dog to the city centre other than guide dogs
- People on pushbikes in pedestrian areas also need to be addressed
- Those in the grip of heroin addiction which was leading to criminal activity and damage was the main issue
- Some 90% of respondents agreed with the rough sleeping part of the Order
- The paraphernalia left by rough sleepers created problems
- Local people were worried about the extent of needles discarded in the City Centre
- There is a need to consider the needs of people who live and work in the city
- The amendment would provide clarity for the police in dealing with issues
- The City Centre needs to be safe and secure

Councillors Townsend, Bond, Cockeram, Whitcutt, Mudd, Truman, Whitehead spoke against the amendment making points such as:

- Some 400 people had responded to the consultation but part of the consultation was ambiguous and the document had been challenged owing to the way it was worded
- Some 3000 signatures had been put to a separate document which expressed a different view about rough sleepers
- It would be difficult for the police to discover if a reasonable offer of accommodation had been made and so to enforce the ban on rough sleepers
- The Council has an opportunity to work with the police on the definitions within the Order
- There are relatively small number of rough sleepers in Newport
- The Council needs to show compassion to vulnerable people.
- We have problems of homelessness and we cannot 'ban' poverty in the city
- This did not mean that antisocial behaviour would be tolerated
- People should not be discriminated against because they did not have a roof over their head
- Some people on the streets were suffering issues other than drug addiction or alcoholism.
- Some of the use of doorways as a toilet was down to late night revellers
- There was a need to discuss measures with those affected to let them know what was available.
- The police have sufficient powers now to deal with anti-social behaviour or criminal activities under existing legislation
- Legislation required proportionality in addressing these issues
- We should not criminalise the most vulnerable people in society
- Earlier today the Council had pledged support for vulnerable people supported by the Supporting People Grant

Councillor Maxfield remained uncertain and was worried about inertia in helping people on the streets. She welcomed the conversation which could lead to help being provided. Councillor C Evans considered efforts should be made to deal with the problem rather than to introduce an Order. Councillor Ali considered that if an Order was prepared for the City Centre, others would be needed for other areas of the city such as Pill.

It was confirmed that there was no mention of A Boards in the Order nor was there mention of distribution of leaflets

The required number of members called for a recorded vote. The vote was as follows:

Those in favour of the amendment: Councillors M Al Nuaimi, D Atwell, M Cornelious, M Evans, C Ferris, D Fouweather, M Kellaway, R Mogford, R White, and D Williams. A total of 10 votes

Those against: Councillors O Ali; T Bond; R Bright; P Cockeram; E Corten; K Critchley; D Davies; V Delahaye; C Evans; E Garland; G Giles; J Guy; D Harvey : P Huntley; R Jeavons; C Jenkins; M Linton; D Mayer; S Mlewa, J Mudd; R Poole; M Rahman; J Richards; M Spencer; C Suller; H Thomas; K Thomas; E Townsend; R Truman; T Watkins; M Whitcutt; and D Wilcox . A total of 32 votes

Members who abstained: C Maxfield and K Whitehead- a total of 2 members

The amendment was therefore **lost**

Councillor M Evans moved an alternative amendment which suggested that the Order should include the original “No Begging” measure but remove the “rough sleeping” measure. This amendment was seconded by Councillor Fouweather

Councillor Evans said that it was very much Police advice to include the begging clause as it provided a clear message. He considered that people did not need to beg. A lot of people feel they have to give money and this is a concern. They should be directed to help and support but ensure that no begging is carried out. In summing up he mentioned that begging was often not for food but to feed a habit that needs to be addressed.

Councillors Garland, Maxfield spoke in favour of the amendment. Both gave examples of aggressive begging they had witnessed. Councillor Fouweather considered the option put by the Cabinet Member took options away from the police and this would provide clear guidance.

Councillors Bond, Jeavons, Mlewa and Whitcutt spoke against the amendment. The issues relating to penalising people for poverty were raised. Issues relating to buskers were also discussed. The ‘no begging’ inclusion would raise issues of ambiguity. It was considered this would not add to existing legislation. It was unacceptable to say that begging was unnecessary. Fines could not be paid by vulnerable people.

The required number of members called for a recorded vote. The vote was as follows:

Those in favour of the amendment: Councillors D Atwell, M Cornelious, E Corten; M Evans, E Garland, C Ferris, D Fouweather, M Kellaway, C Maxfield , R Mogford, R White and D Williams . A total of 12 votes

Those against: Councillors O Ali; T Bond; R Bright; P Cockeram; K Critchley; D Davies; V Delahaye; C Evans; G Giles; J Guy; D Harvey : P Huntley; R Jeavons; C Jenkins; M Linton; D Mayer; S Mlewa, J Mudd; R Poole; M Rahman; J Richards; M Spencer; C Suller; H Thomas; K Thomas; E Townsend; R Truman; T Watkins; M Whitcutt; and D Wilcox . A total of 30 votes

Members who abstained: Al Nuaimi, and K Whitehead- a total of 2 members

The amendment was therefore **lost**

Councillor Townsend moved a further amendment that the Council adopts an alternative option

“To 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.”

Councillor Townsend stated that this acknowledged the discussions earlier that the necessary powers were already available

This was seconded by Councillor Whitehead

Councillor Al Nuaimi spoke against the proposed amendment stating that the Order needed to help police do the job they want to do.

The vote was put to the Council and the amendment was **lost**

The substantive motion put by the Cabinet Member was then considered and voted upon

The required number of members called for a recorded vote. The vote was as follows:

Members voting for the motion were: O Ali; D Atwell; T Bond; R Bright; P Cockeram; M Cornelious; E Corten; K Critchley; D Davies; V Delahaye; C Evans; M Evans; C Ferris; D Fouweather; E Garland; G Giles; J Guy; D Harvey ; P Huntley; R Jeavons; C Jenkins; M Kellaway; M Linton; C Maxfield; D Mayer; S Mlewa; R Mogford; J Mudd; R Poole; M Rahman; J Richards; M Spencer; C Suller; H Thomas; K Thomas; E Townsend; R Truman; T Watkins; M Whitcutt; R White; and D Wilcox. A total of 41 votes

No members voted against the motion

Three members abstained: Councillors Al Nuaimi, Whitehead and Williams.

Resolved:

To adopt version 2 of the Order as set out in the report and as recommended by the Cabinet Member for Regulatory Services

7. **Gambling Act 2005 - Statement of Principles**

Councillor Guy informed Members that the Gambling Act 2005 was implemented on 1 September 2007 and it created a new system of licensing and regulation for commercial gambling. It requires the Council to prepare and publish a Statement of Principles for each successive period of three years, which outlines the principles that the Council will apply in exercising its functions as the Licensing Authority under the Act.

Draft revisions to the Statement were presented to Council. These revisions had been produced in accordance with Regulations and the Gambling Commission's Guidance to Licensing Authorities. Statutory consultation ran from the 4 August 2015 to 21 September 2015.

The draft revised policy was considered by the Licensing Committee on 3 August 2015 then again, pursuant to the consultation responses, on 3 November 2015; the Licensing Committee supported the resultant proposed amendments to the Statement of Principles and recommended it be presented to full Council for approval and adoption.

Resolved

To adopt the revised 2015 Statement of Principles as required under the Gambling Act 2005.

8. Economic Growth Strategy

The Leader of the Council introduced the report which had been recommended for adoption by the Cabinet. The Council's current Economic Development Strategy 2011–2015 was approved by the Council in December 2011. However following its adoption, the Council received a critical response from the Welsh Audit Office. The Cabinet therefore endorsed the need to undertake a review of the Strategy in the light of the WAO's findings and requested the Street Scene, Regeneration and Safety Scrutiny to co-ordinate the production of a revised Draft Strategy.

A Policy Review Group made up of Councillors and supported by officers, was tasked with coordinating and delivering a refreshed and robust draft Economic Development Strategy.

Taking into account feedback from the Welsh Audit Office, a new Economic Growth Strategy was developed, which has greater integration with Newport's Single Integrated Plan Community priorities, and initiatives associated with the Cardiff City Regional initiatives, Great Western Cities and Newport Economic Fora.

The new strategy was based on three themes

- **People:** Make sure everyone benefits from growth
- **Place:** Economic environment is excellent and well connected. Making sure that everything is joined up to help promote growth
- **Prosperity:** Building high value growth and promoting entrepreneurship so that we grow from the inside as well as attracting new business.

The Strategy was endorsed by Scrutiny Committee, following which the Strategy underwent a 6 week consultation period where overall feedback was positive with stakeholders supportive of the Strategies Aims and Priorities.

The final draft, taking the outcome of the consultation into account, was considered by the Cabinet at its meeting held on 19 October 2015.

At the meeting, The Chair mentioned that Newport would need to work closely with business to achieve growth. He referred to the Friar's Walk as an example of where the Council had successfully worked in partnership with business.

The Cabinet recommended adoption of the Strategy and Delivery Plan to Council for adoption

Councillor M Evans was concerned about increasing bus lanes and considered other options should be considered. It was important for all traffic to move forward in the city centre. He considered more could be done to encourage small businesses. He mentioned the opening of Council car parks on a Sunday to encourage use of the city centre

Some members discussed the process of consultation on the report by way of the Scrutiny Committee and the Policy Review Group but all members supported the document. All members were able to provide written comments but there was little discussion at the final scrutiny meeting.

Councillor Richards recommended the report stating that this was an important time in the City's history and the document took forward the city for the next ten years. Scrutiny would have opportunity to monitor progress.

9. **Questions to the Chair of the Cabinet**

There were no questions to the Chair of the Cabinet submitted on this occasion

10. **Questions to Cabinet Members**

There were no questions to the Cabinet Members submitted on this occasion

11. **Questions to Chairs of Committees**

There were no questions to the Chairs submitted on this occasion

12. **Standards Committee**

The minutes of the meeting of the Standards Committee held on 22/10/2015 were received

The meeting terminated at 20:05