

# Scrutiny Report



## Overview and Scrutiny Management Committee

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Date: 23<sup>rd</sup> September 2021

**Subject: City Centre PSPO - 2021-2024 (Public Spaces Protection Order)**

**Author** Rhys Thomas – Principal Environmental Health Officer

The following people have been invited to attend for this item:

- Gareth Price – Head of Law and Regulation
- Rhys Thomas – Regulatory Services Manager
- Michelle Tett – Community Protection Manager
- Inspector Jodie Davies – Gwent Police

### 1.0 Recommendations to the Committee

At this meeting, the Committee is asked to

- 1.1 Note the Consultation responses consisting of 108 Electronic online responses.
- 1.2 Agree (or otherwise) that the consultation process has been completed in accordance with the previously agreed consultation plan presented to Scrutiny in July 2021
- 1.3 Confirm (or otherwise) the need for the restrictions outlined in the draft PSPO following the completion of the consultation process.
- 1.4 Note the recommendations of Officers at section 5.8
- 1.5 If satisfied and on completion of the above to make recommendations that the Council considers and approves this PSPO at its next meeting in October 2021

## **2.0 Context and History**

### **2.1 Scrutiny Committee previous hearing – July 2021**

2.1.1 In July 2021, Scrutiny committee reviewed evidence from Newport Officers and Gwent Police. The restrictions and the wording of the draft PSPO were scrutinised.

2.1.2 Pending minor amendments to the consultation questionnaire, the committee agreed to proceed to 28 days of consultation on the proposed PSPO and to hear the result of that consultation in its September meeting.

2.1.3 The consultation process ended on 28<sup>th</sup> September 2021. The full consultation responses are included in the appendices 1 and 2 of this report.

2.1.4 Scrutiny Committee asked for additional consultees to be approached, in particular businesses within the City Centre. NCC Officers confirm that the link to the consultation response was sent or provided to:

- Ward Councillors
- City Centre PubWatch members (via licensing team)
- City Centre Taxi Ranks (via licensing team)
- Newport Business against Crime (Retail network)
- SHARE centre
- Wallich
- Newport City Homes.

### **3.0 Proposed City Centre PSPO (2021 – 2024)**

3.1 The proposed content of the PSPO is below pending Scrutiny agreement and presentation at a subsequent full council.

#### **ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 SECTION 59 PUBLIC SPACES PROTECTION ORDER 2021 CITY CENTRE, NEWPORT**

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

This Order shall come into operation on \_\_\_\_\_ xxxx \_\_\_\_\_ 2021 and shall have effect for a period of 3 years thereafter, unless extended by further Orders under the Council’s statutory powers.

This Order relates to the public place in the City of Newport as shown edged red on the Plan, annexed 1 to this Order (“the Restricted Area”) commonly referred to as “THE CITY CENTRE”.

The effect of the Order is to impose the following prohibitions in the Restricted Area at all times and will be enforced by Police Constables, Police Community Support Officers with delegated authority or an authorised Council Officer.

#### **PROHIBITIONS:-**

1. No person shall, within the restricted area refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer to prevent public nuisance or disorder.
2. No person shall within the restricted area undertake “street trading” which includes peddling, charity collecting or touting for services, subscriptions or donations UNLESS authorised to do so by an existing Police or Council issued or Council recognised Street Trading / Charity Collection / Promotions consent, license or written permission or holds a valid Pedlars Certificate.
3. No person shall within the restricted area beg within 10 meters of a cash or payment machine or beg in a manner which is aggressive or intimidating, or which has caused or is likely to cause a member of the public to feel harassed, alarmed, or distressed.
4. No person shall behave (either individually or in a group) in a manner that causes or is likely to cause harassment, alarm or distress to a member of the public; persons who breach this prohibition shall, when ordered to do so by an authorised person, disperse immediately or by such a time as may be specific and, in a manner, as may be specified by the said authorised person and failure to do so is a further breach of this Order.
5. No person shall within the Restricted Area:

- a. Ingest, inhale, inject, smoke, possess or otherwise use intoxicating substances;
- b. Sell or supply intoxicating substances;

*Intoxicating substances (commonly referred to as “legal highs”) is given the following definition: substances with the capacity to stimulate or depress the central nervous system (does not include alcohol); and Exemptions shall apply in cases where the substances are used for valid and demonstrable medicinal use, given to an animal as a medicinal remedy, are cigarettes (tobacco) or vaporisers or are food stuffs (to include drinks) regulated by food health and safety legislation.*

Persons who breach this restriction shall surrender any such intoxicating substance in his/her possession when asked to do so by an authorised officer.

- 6. 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 1.5meters in length).
- 7. Cyclists, or users of scooters, E-scooters, E-bikes, skateboards and hover boards, are to dismount if requested to do so by an authorised officer, if they are of the opinion that the operator is riding in an unsafe manner which is causing or is likely to cause a danger to the public in the Restricted Area.”

**FIXED PENALTY NOTICES AND OFFENCES:-**

- 1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
- 2. In accordance with section 63 of the Act, a person found to be in breach of this Order by consuming alcohol or by refusing to surrender alcohol to an authorised person is liable on summary conviction to a maximum penalty of a Level 2 fine (currently £500) or to a Fixed Penalty Notice up to £100.
- 3. In accordance with section 67 of the Act, a person found to be in breach of this Order other than by consuming alcohol or by refusing to surrender alcohol to an authorised person is liable on summary conviction to a maximum penalty of a Level 3 fine (currently £1000) or to a Fixed Penalty Notice up to £100.

**APPEALS:-**

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

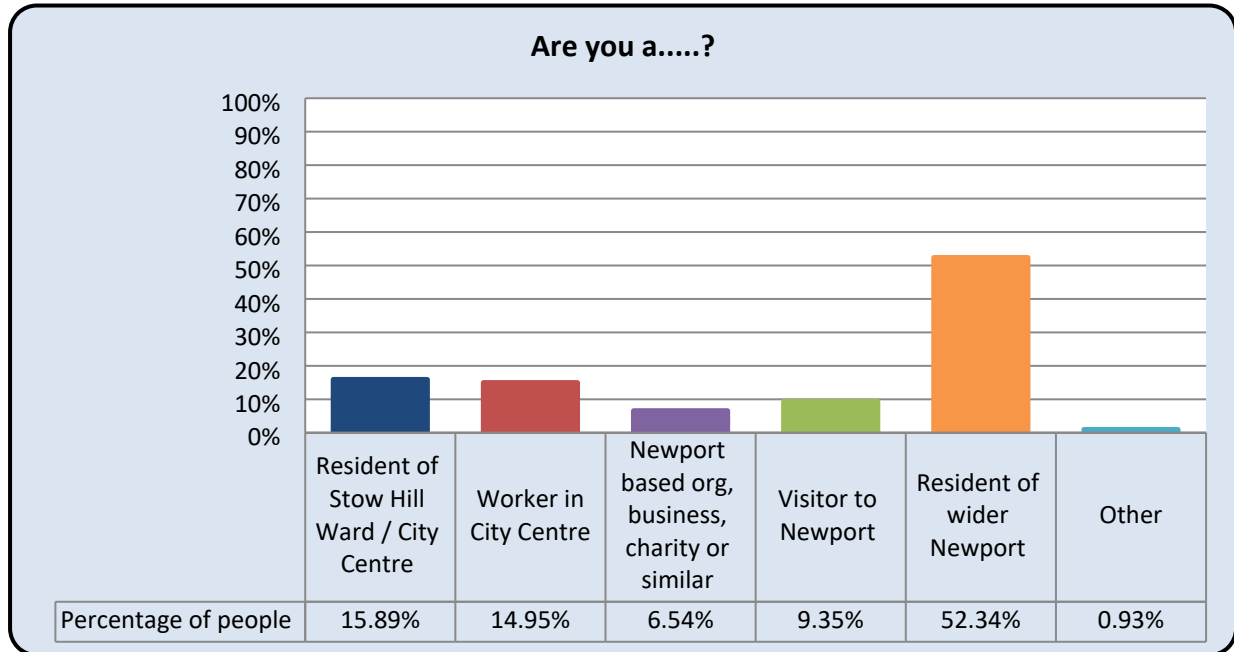
Dated:  
 THE COMMON SEAL of )  
 NEWPORT CITY COUNCIL was )  
 here unto affixed in the presence of:- )  
 )

**ANNEX 1 – Newport City Centre, Public Space Protection Order Restricted Area**

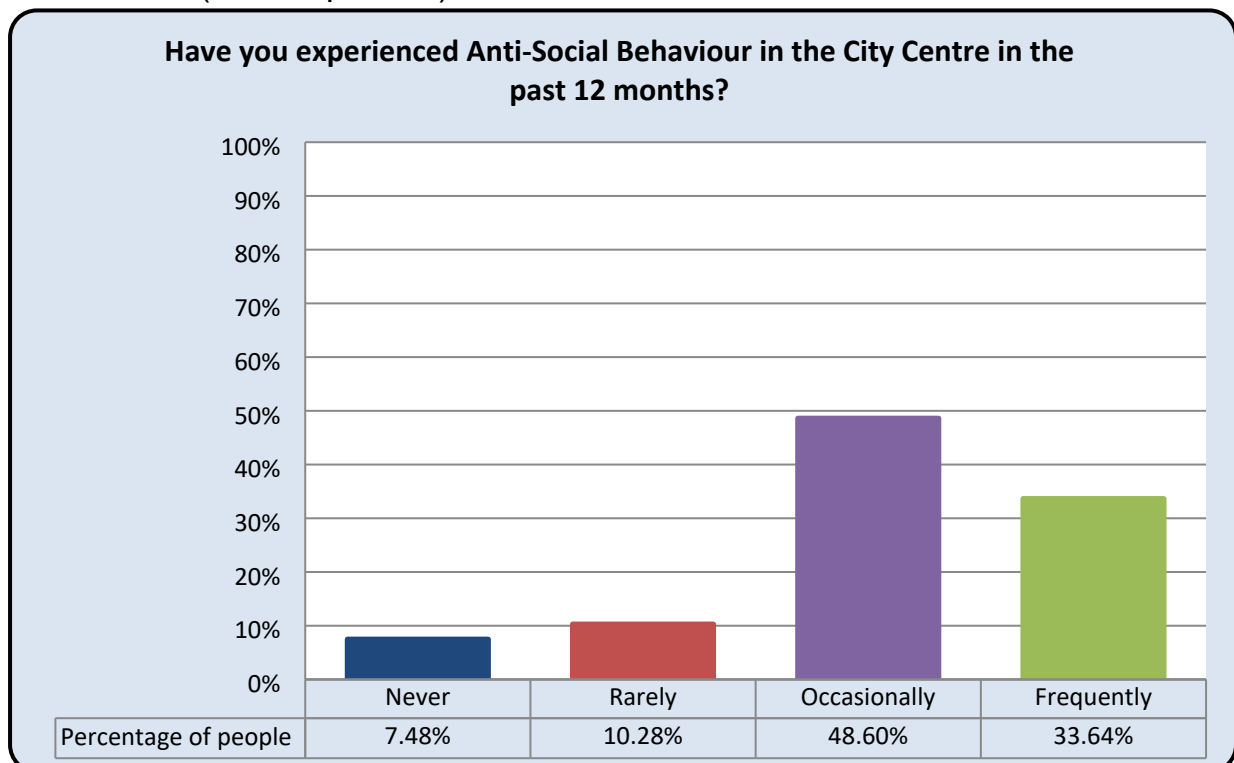
## 4.0 Consultation feedback

4.1 For each of the restrictions and the geographical location of the PSPO, the consultees were asked to agree or disagree with the need for the control and also provide 'free text' feedback or additional comment. The graphical results of this consultation are presented, by question, below and include the equalities monitoring data.

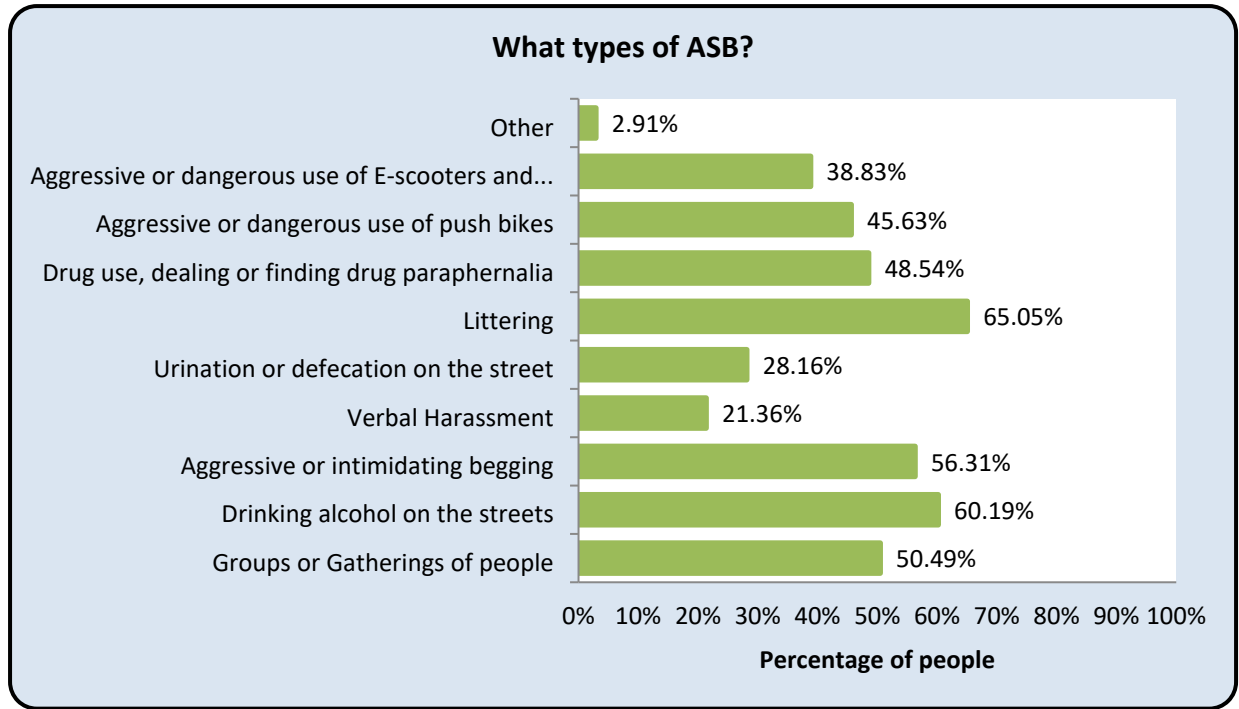
### Question 1 (107 responses)



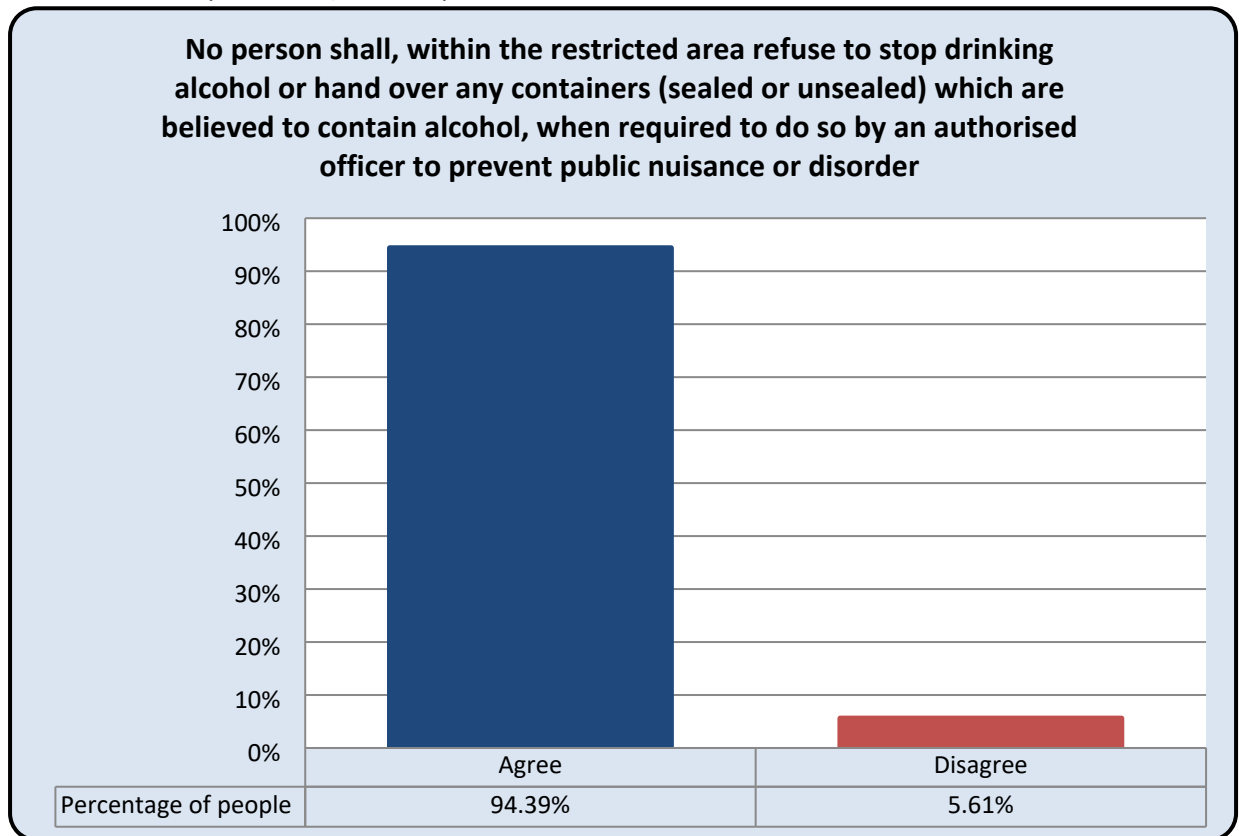
### Question 2 (107 responses)



**Question 2a (103 responses)**

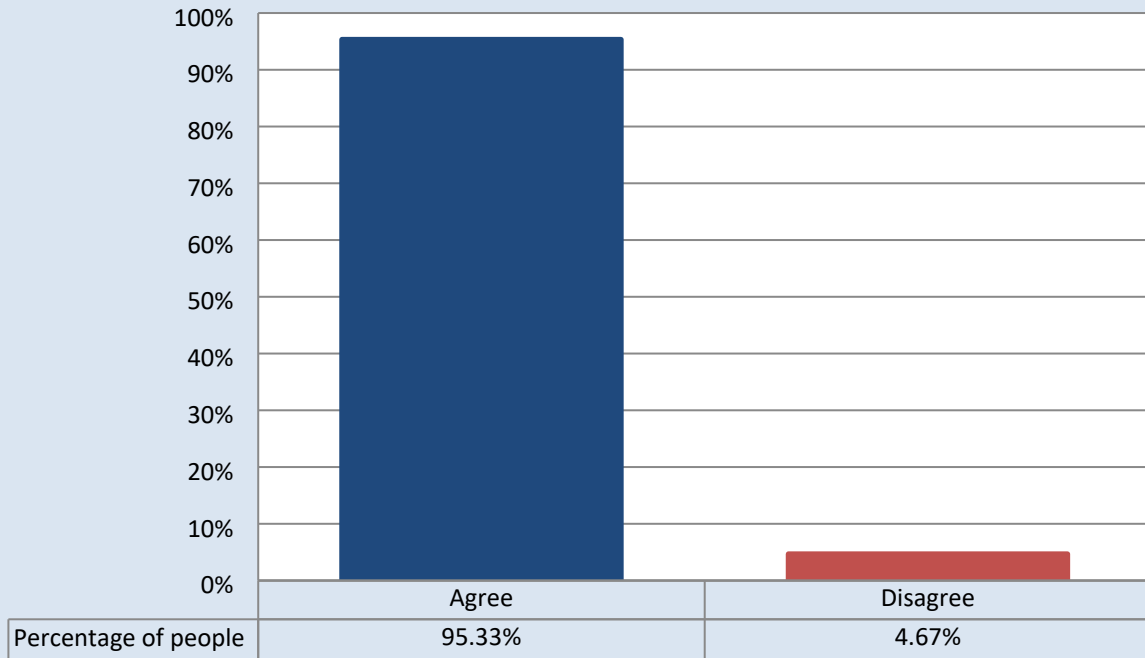


**Question 3 (107 responses)**



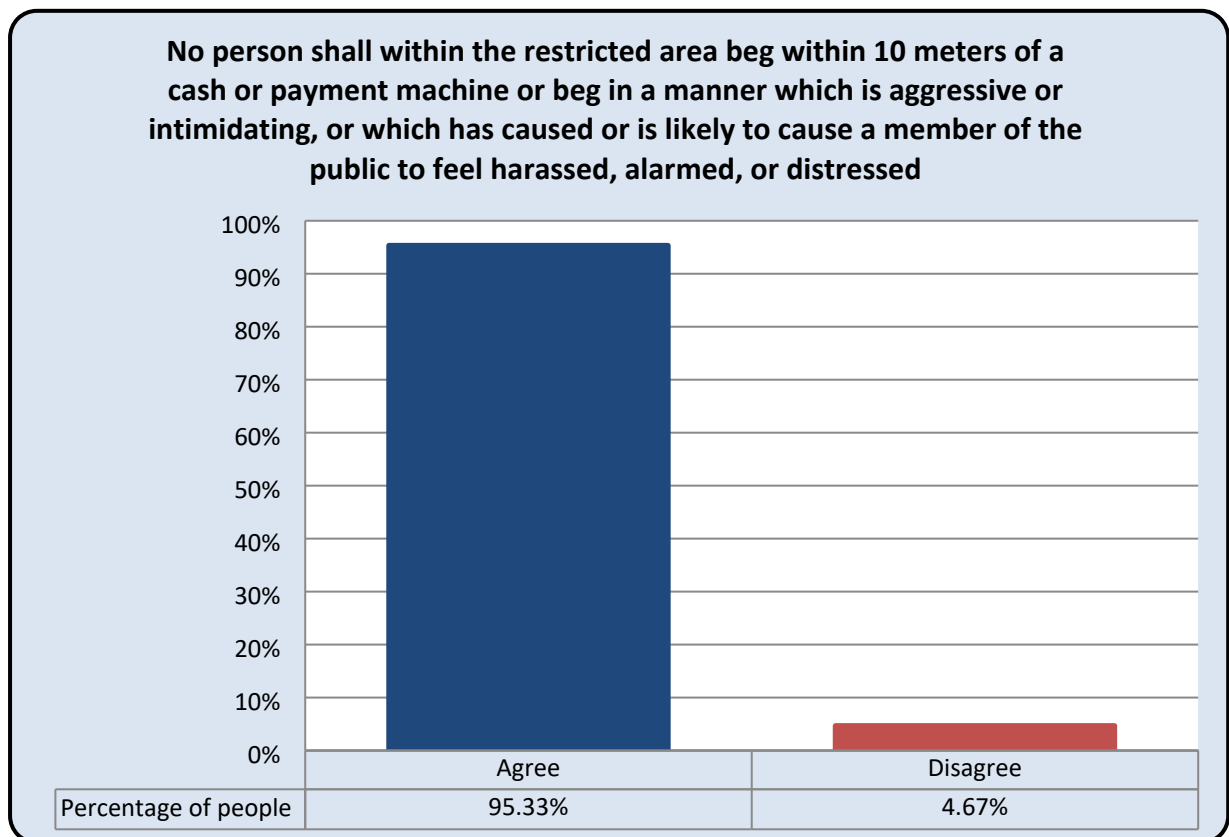
**Question 4** (107 responses)

**No person shall within the restricted area undertake “street trading” which includes peddling, charity collecting or touting for services, subscriptions or donations UNLESS authorised to do so by an existing Police or Council issued or Council recognised**

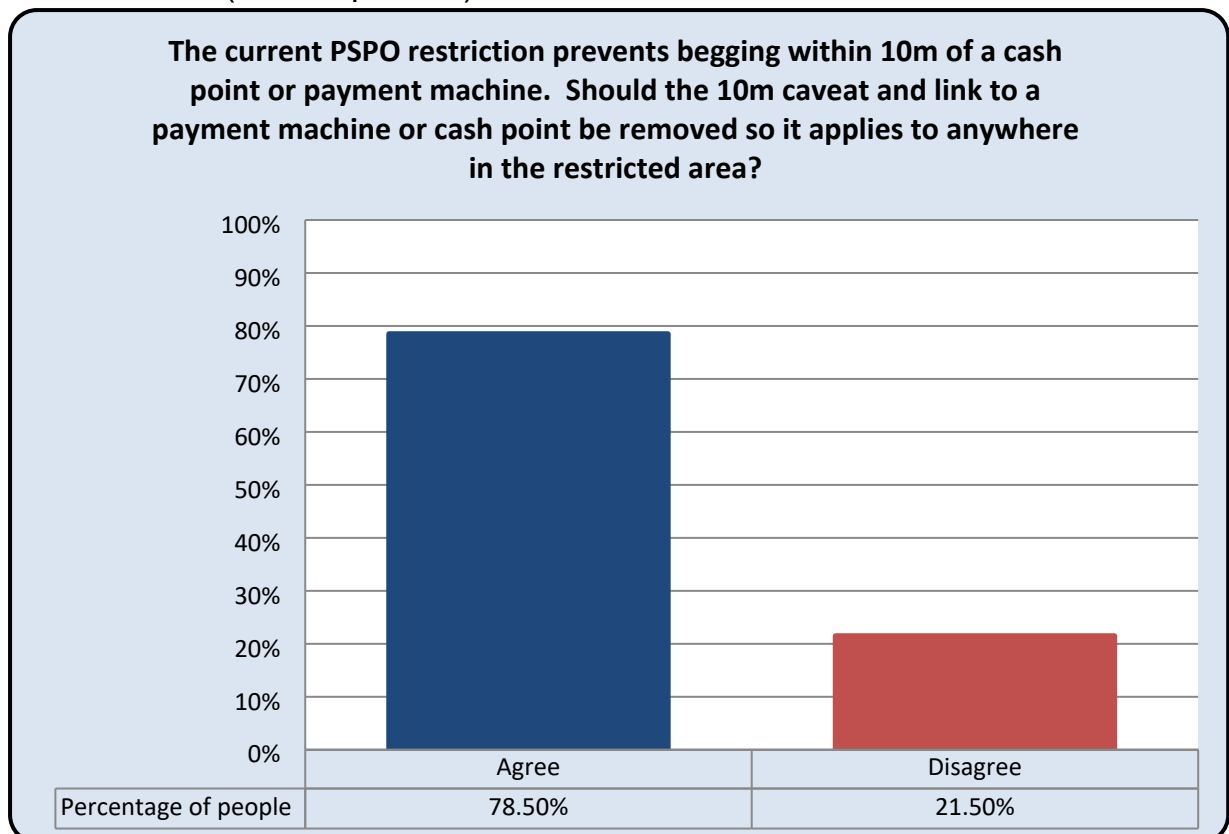




**Question 5** (107 responses)

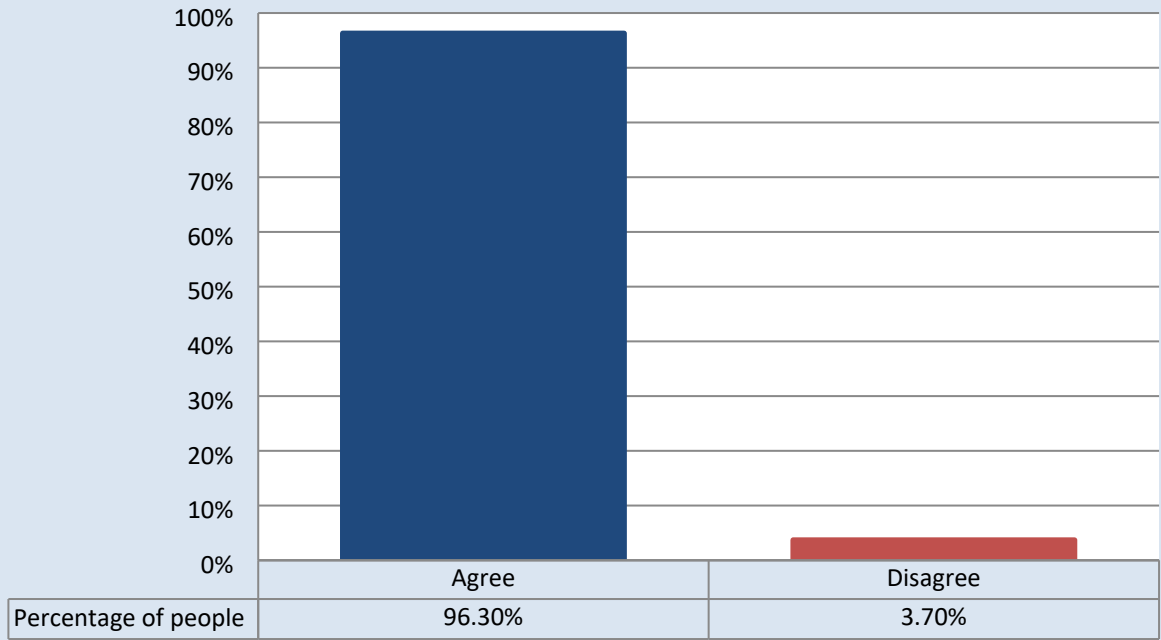


**Question 5C** (107 responses)



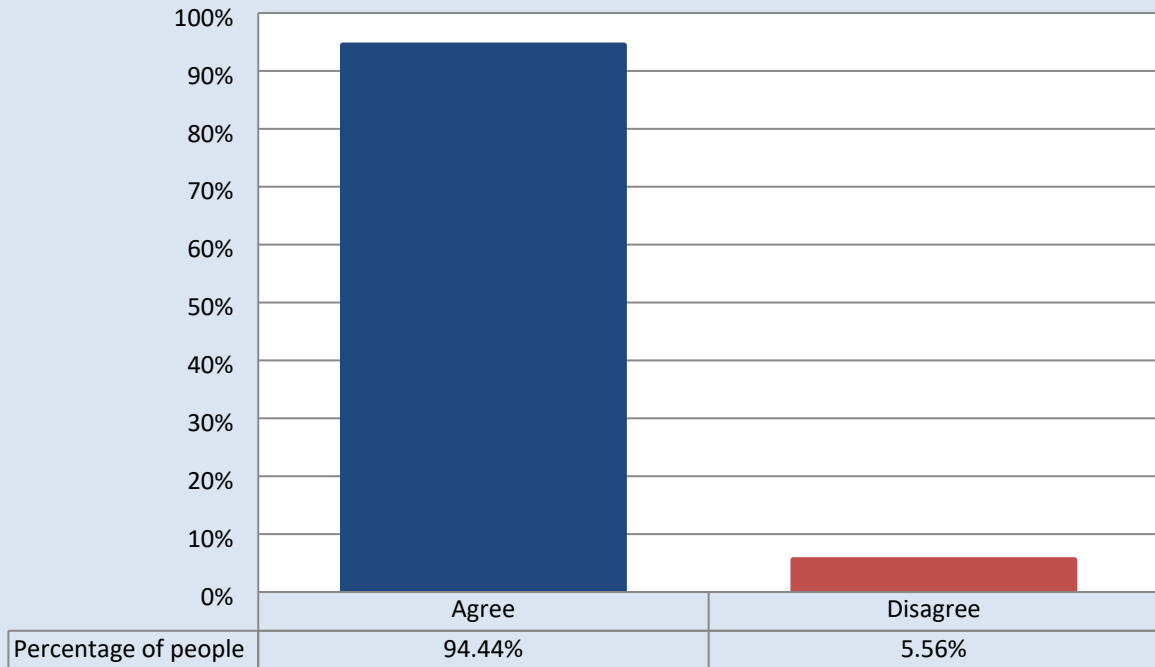
**Question 6** (108 responses)

**No person shall behave (either individually or in a group) in a manner that causes or is likely to cause harassment, alarm or distress to a member of the public; persons who breach this prohibition shall, when ordered to do so by an authorised person, dis**



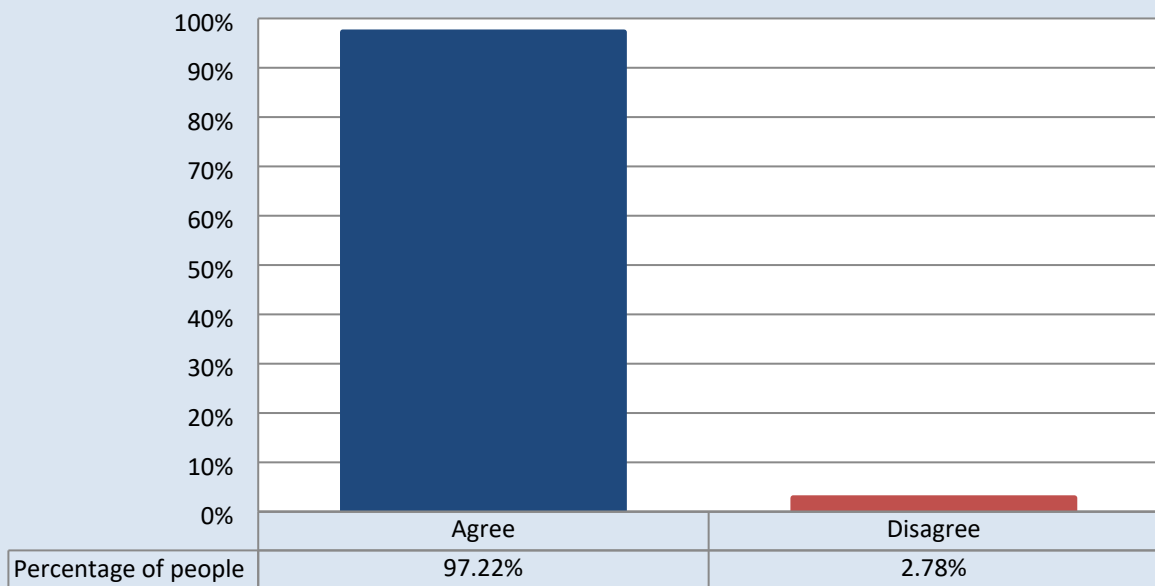
**Question 7 (108 responses)**

**No person shall within the Restricted Area: Ingest, inhale, inject, smoke, possess or otherwise use intoxicating substances; Sell or supply intoxicating substances; Intoxicating substances (commonly referred to as "legal highs") is given the following de**

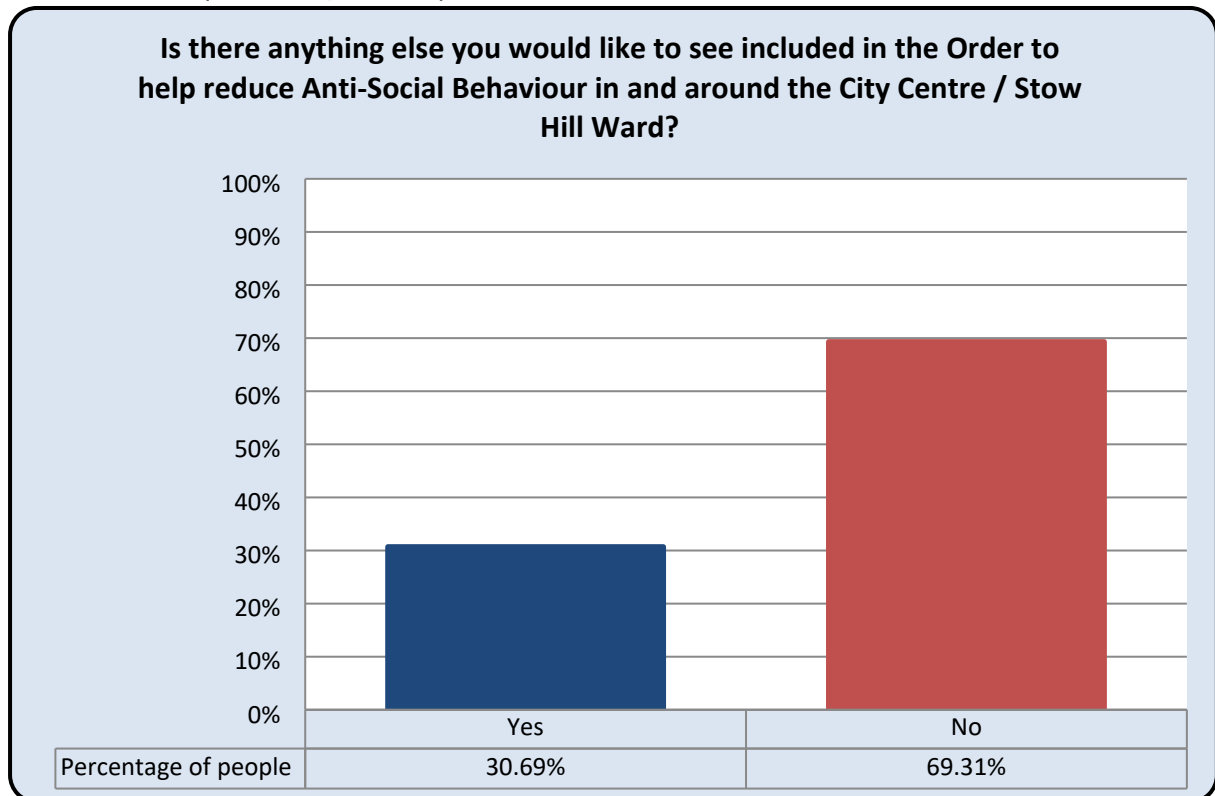


**Question 8 (108 responses)**

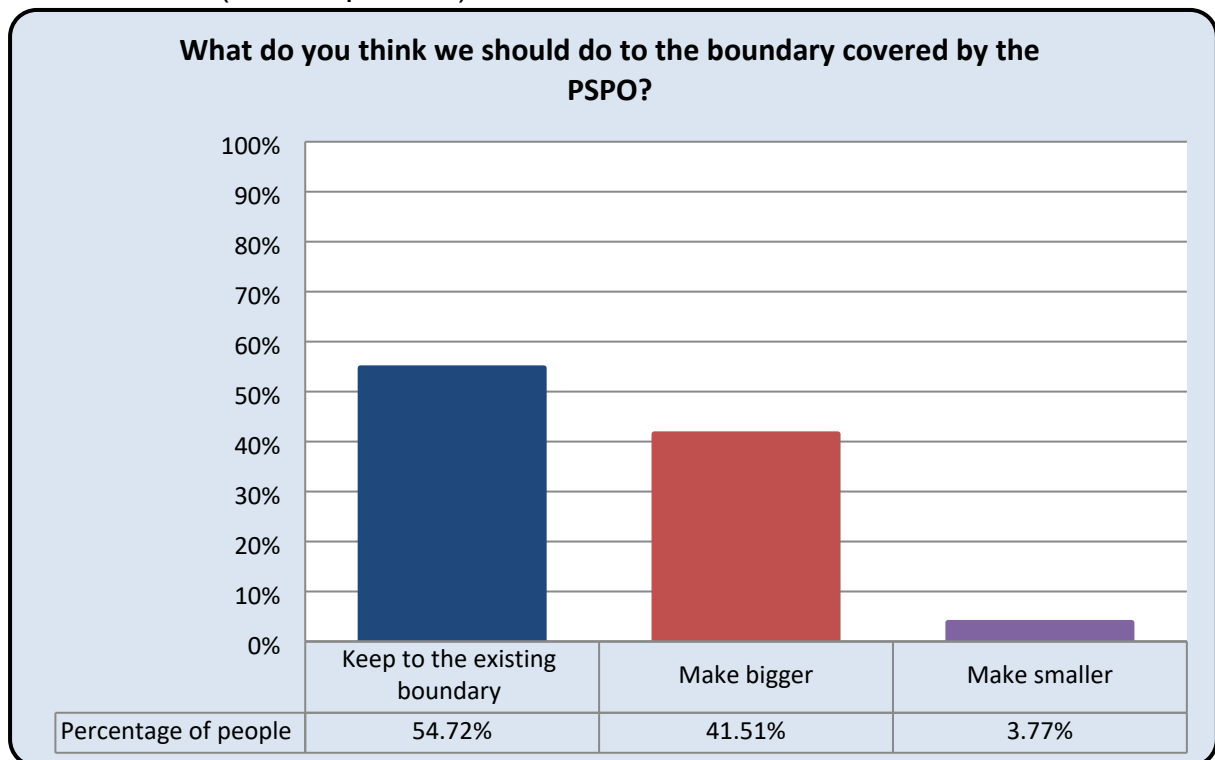
**Any person in charge of a dog within the restricted area shall be in breach of this Order if he/she fails to keep the dog on a lead (of no more than 1.5meters in length)**



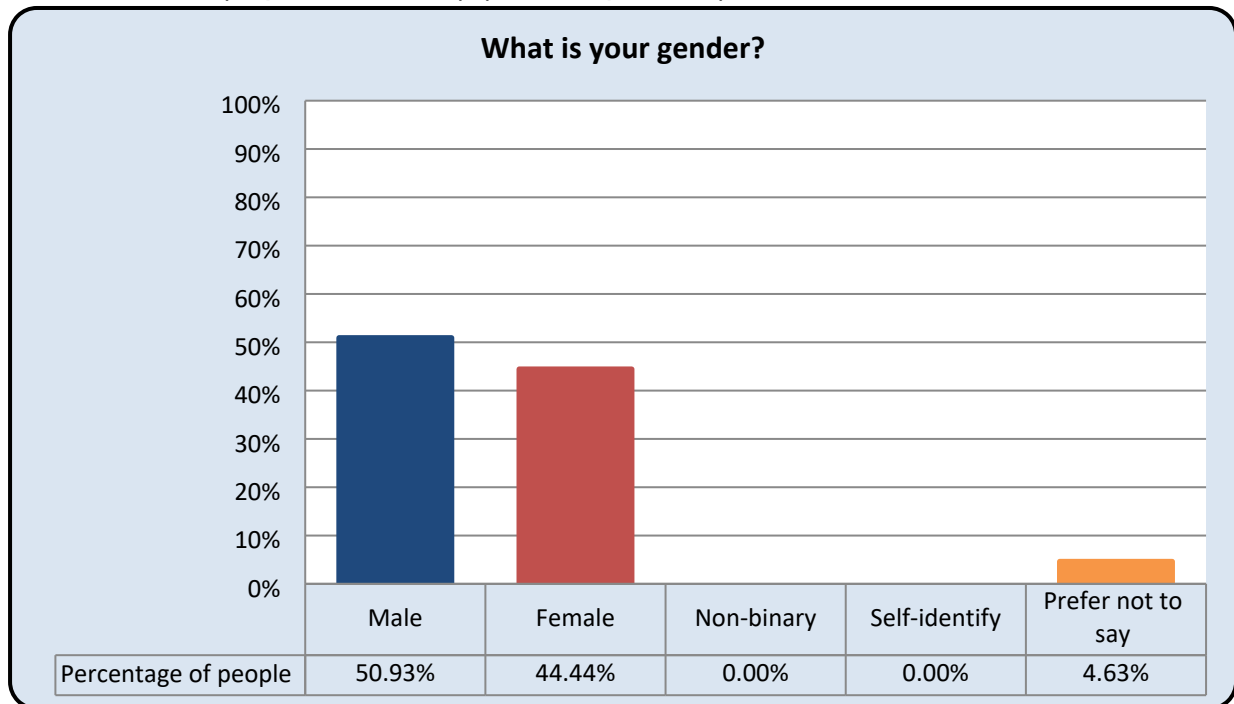
**Question 9** (101 responses)



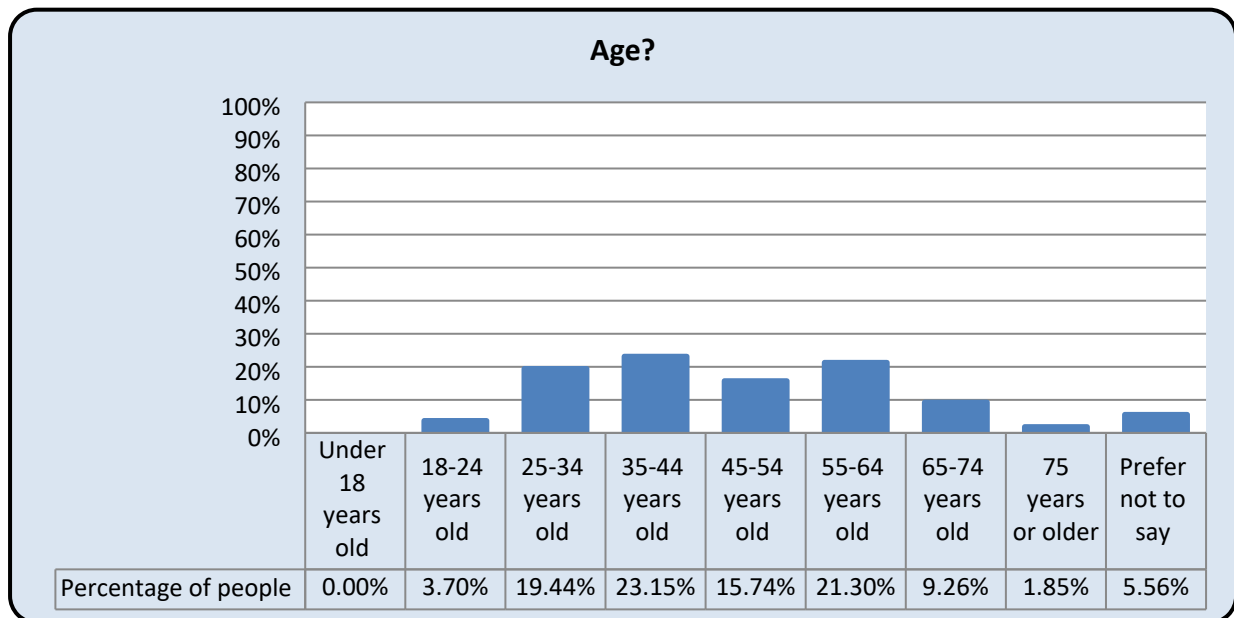
**Question 10** (106 responses)



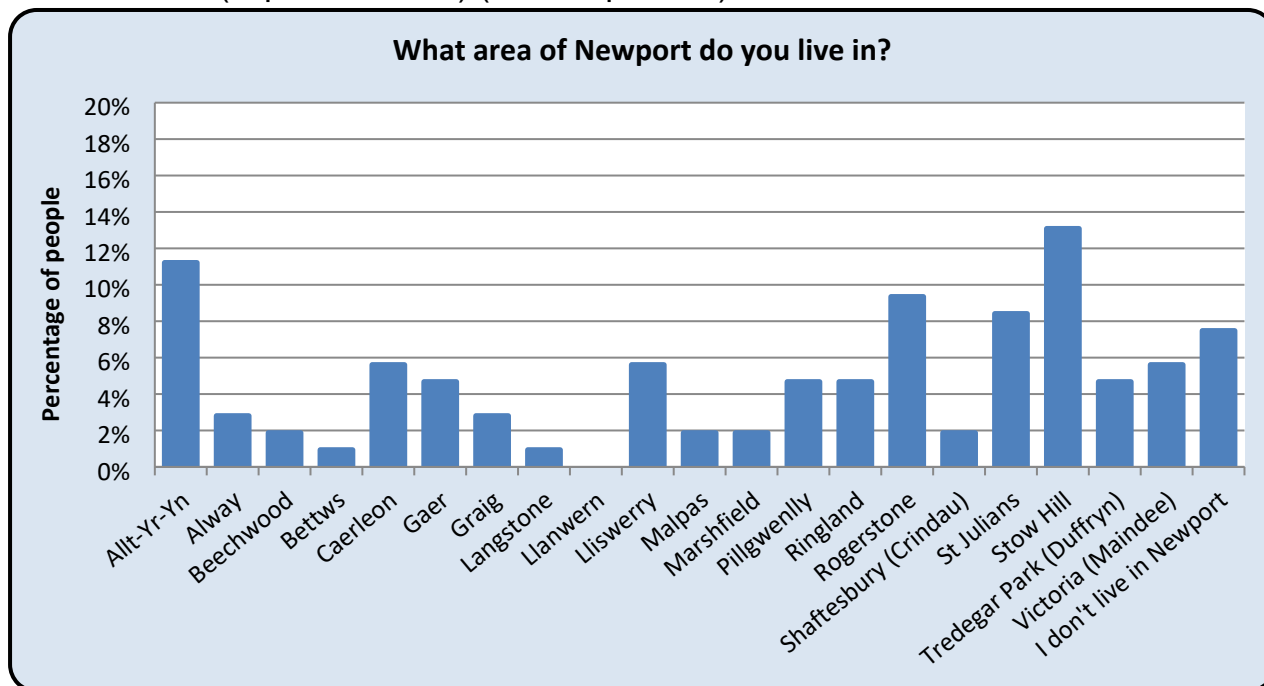
**Question 11 (Equalities data) (108 responses)**



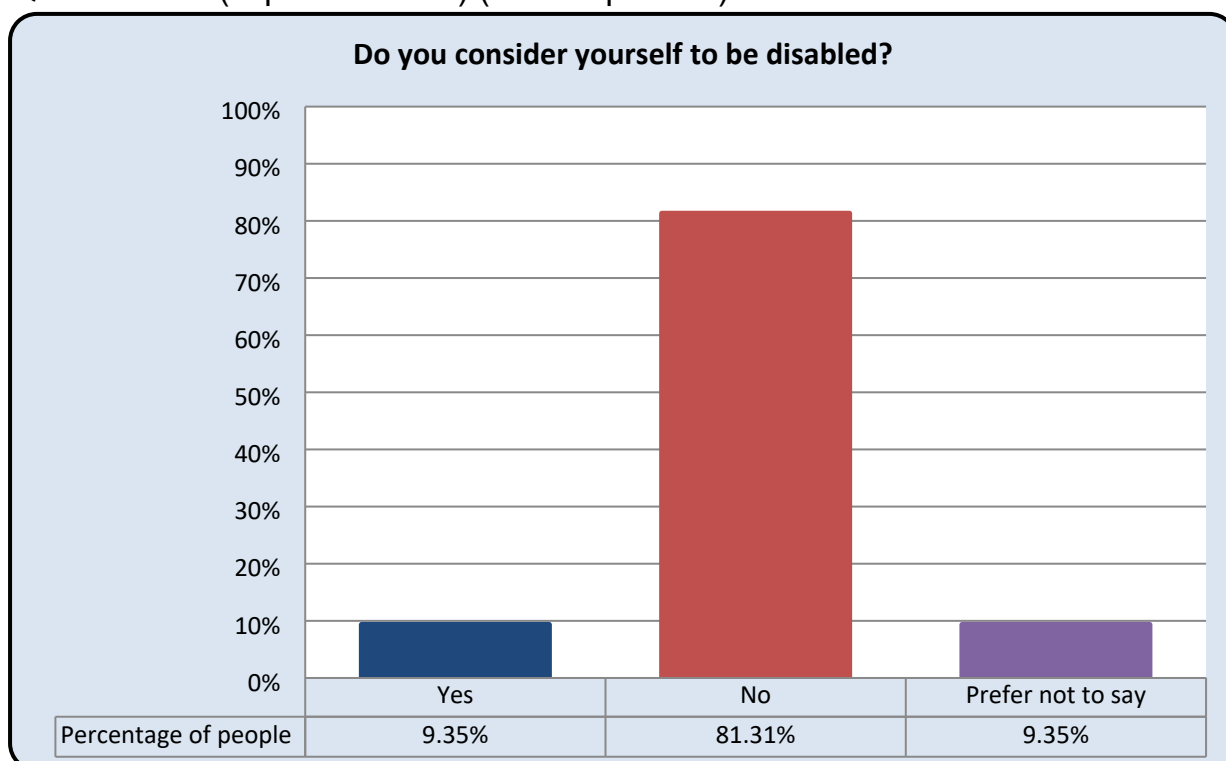
**Question 12 (Equalities data) (108 responses)**



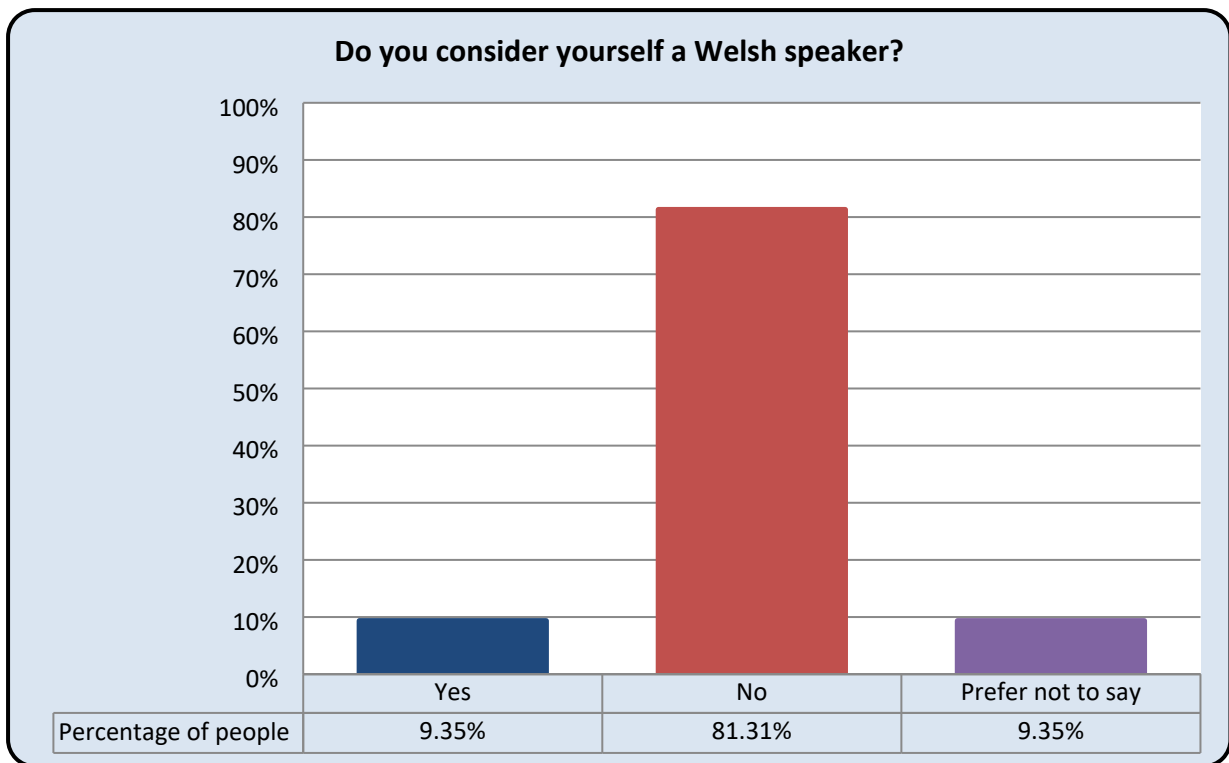
**Question 13 (Equalities data) (107 responses)**



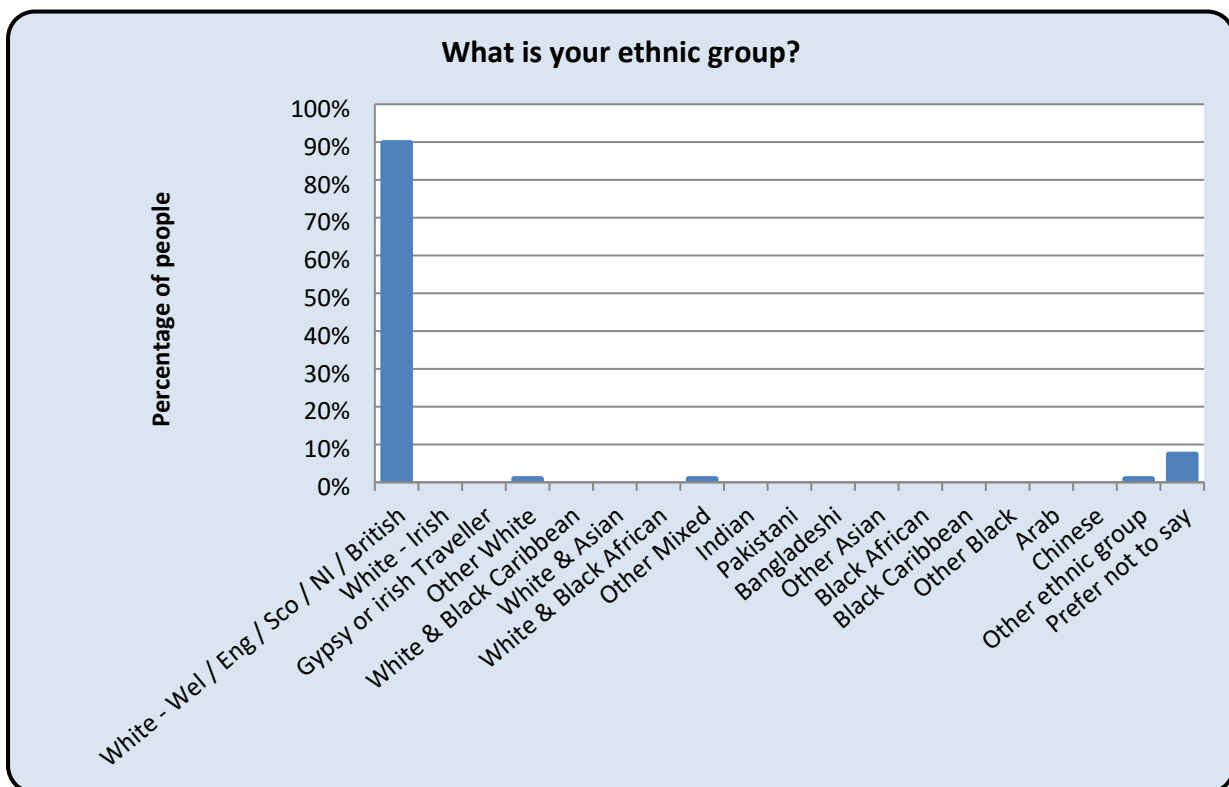
**Question 14 (Equalities data) (107 responses)**



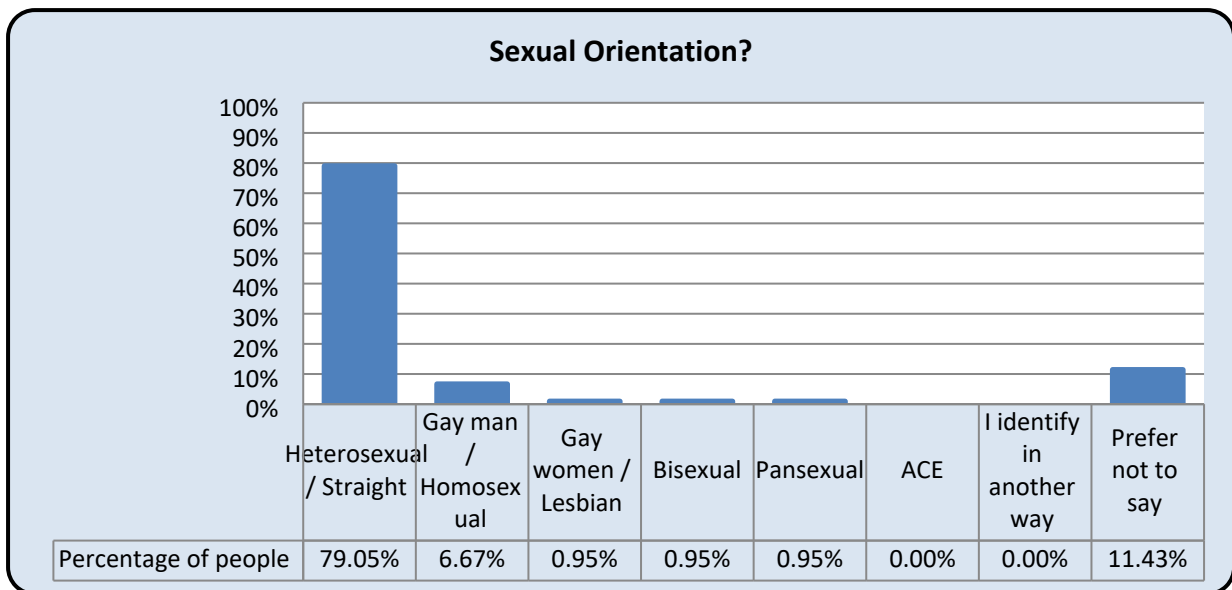
**Question 15 (Equalities data) (106 responses)**



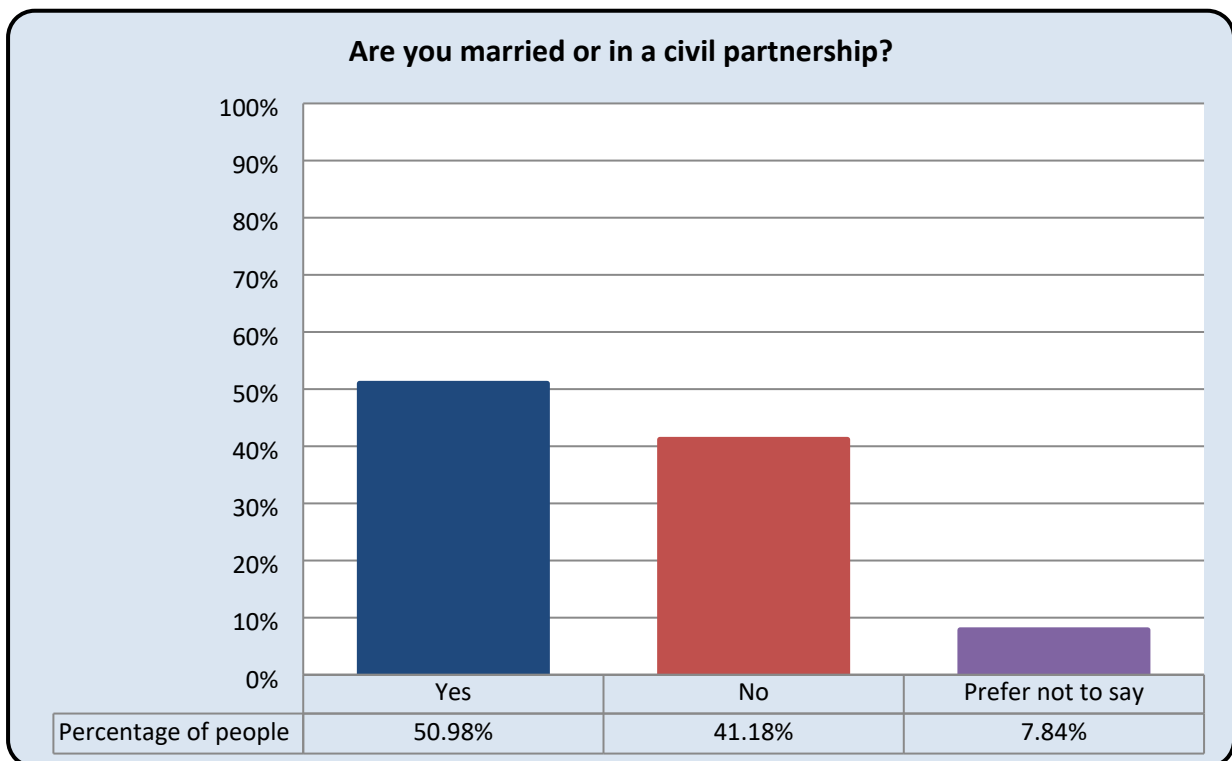
**Question 16 (Equalities data) (108 responses)**



**Question 17 (Equalities data) (105 responses)**

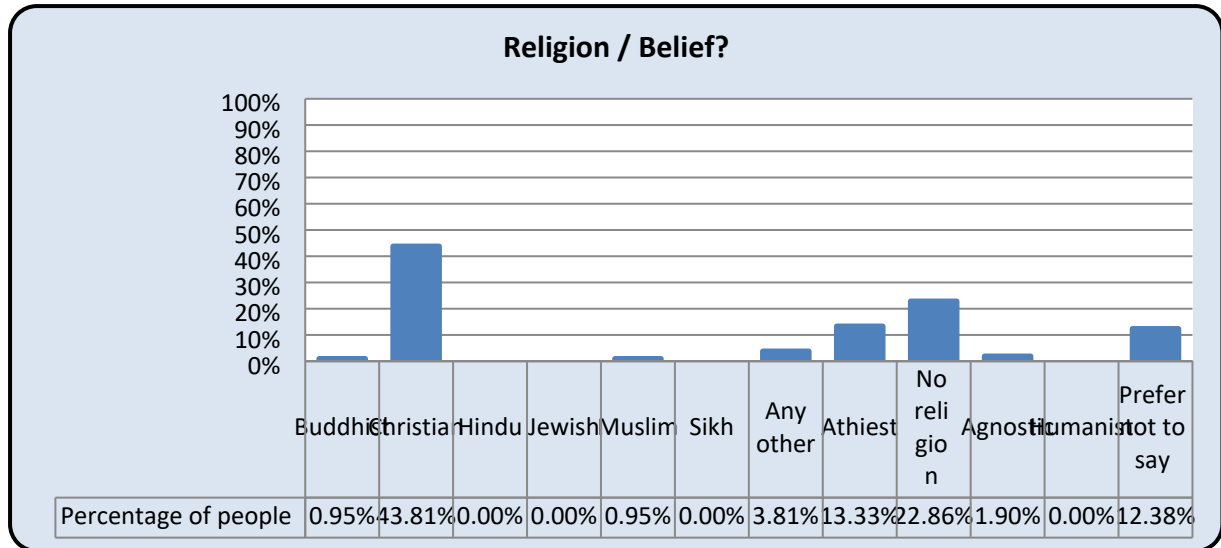


**Question 18 (Equalities data) (102 responses)**

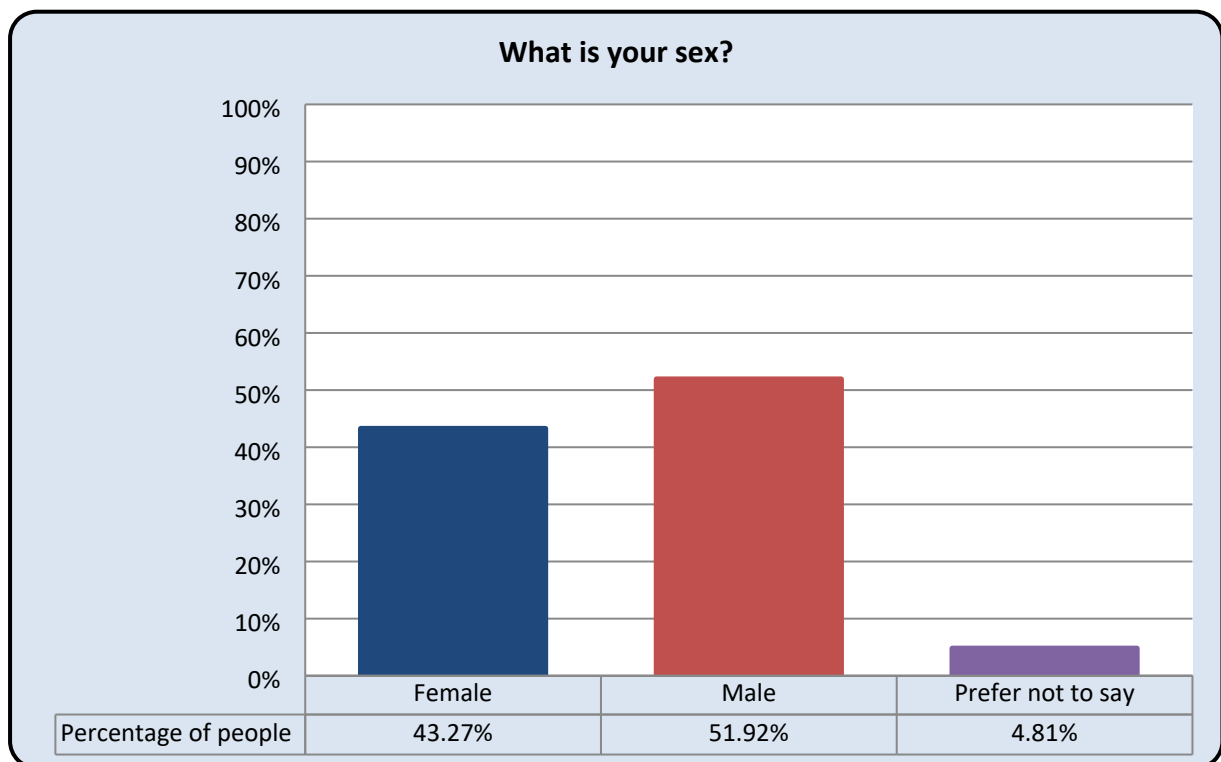




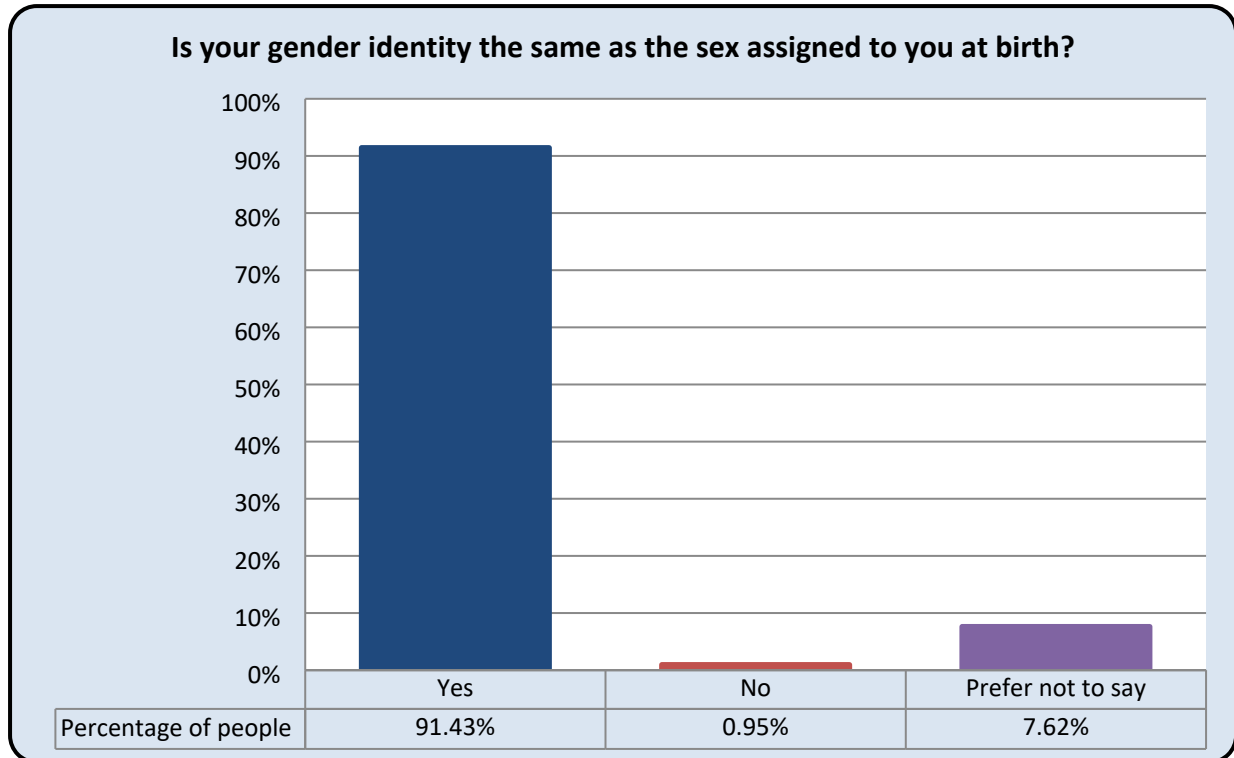
**Question 19 (Equalities data) (105 responses)**



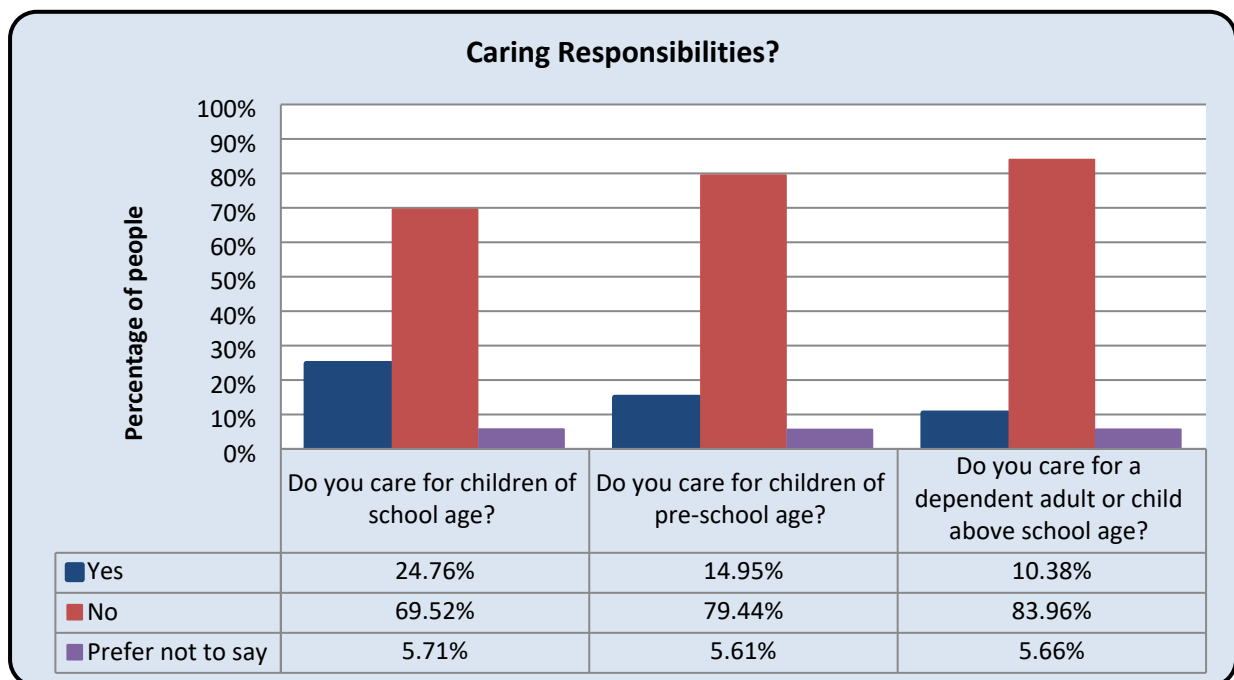
**Question 20 (Equalities data) (104 responses)**



**Question 21 (Equalities data) (105 responses)**



**Question 22 (Equalities data) (105, 107, 102 responses)**



## 5.0 Assessment of the results

### 5.1 Summary.

108 electronic responses were received although for many questions 106 or 105 responses actual made. A small number of questions had a 100% response rate.

There was strong support across these responses for the restrictions contained in the PSPO with each current restriction receiving over 95% support during the consultation.

Over 30% of respondents were residents of the City Centre or worked in the City Centre (15.8 and 14.9% respectively).

Over 82% of respondents indicated they had experienced Anti-Social Behaviour occasionally or frequently.

Littering, drinking on the streets and aggressive begging were the top three forms of ASB experienced by the respondents, although Groups gathering, drug paraphernalia and aggressive use of a push bike/e-bike were frequently reported.

Every restriction had over 93% agreement for inclusion and almost 70% (69.9%) of respondents said they felt no additional controls were needed in the order.

54% of people were satisfied with the current boundary, while a significant number (41%) wished to increase the boundary.

### 5.2 Begging

Scrutiny Committee requested that the public be asked about removing the “within 10 meters” proximity to a cash point or payment machine, caveat within the begging restriction (PSPO restriction No3). This restriction was included in the existing PSPO due to specific concern raised by members of the public around feeling intimidated by begging in proximity to a number of banks and payment machines that are in the city centre. The PSPO has had an impact in dealing with this issue.

102 of 107 (>95%) of respondents to question 5a agreed for the continued need for the restriction as currently worded in the extant PSPO.

84 of 107 (78.5%) of respondents to question 5c agreed that the link to cash machines or payment machines, and within 10m thereof be included in the restrictions.

The comment associated with Questions 5 responses show a polarisation of opinion across the respondents. Some examples quoted from the public responses are below:

**4 comments were received on Question 5a (if you disagree with the existing controls, why)**

*“The benefits of this are unclear and not supported by evidence”*

*“Being homeless is not a crime. Pushing homeless out of the city centre does not solve the housing crisis and is morally wrong.”*

**19 comments were received on Question 5b (any additional comments on the existing controls)**

*“Ban begging entirely. No one is destitute. We have charities to help those in need and a benefits system. There is no need for anyone to beg in our city. It is undesirable.”*

*“People politely sitting and asking for spare change (away from cash points) is in no way intimidating and should not necessarily be “tidied away” to make local conservative councillors happy.”*

*“Ban begging and rough sleeping in the city centre all together. The consequences are serious for overall residents wellbeing, with begging and rough sleeping and associated drug use acting as a major deterrent to using the city centre. This leads to boarded up shops, reduced city centre trade and damaging the local economy. Ultimately this leads to less revenue for the council to deal with the root causes of these issues.”*

*“Difficult one, but begging in the street is intimidating and as such is a ASB.”*

*“Order helped in stopping what could be experienced as intimidating behaviour”*

**30 comments were received on Question 5c (Should the 10m and cashpoint link be removed Agree/Disagree? Please explain)**

*“The Order should include a total ban on begging anywhere in the restricted area.”*

*“Absolutely I have been asked for money away from cash points, there is no need to beg, it puts people off visiting the city centre. Give them help and support instead.”*

*“Whilst some begging is polite, there is also ‘demanding’ and recrimination if refused. The scale of begging is out out hand with multiple requests on a single journey up Commercial Street / Bridge Street / High Street. The aggression increases as the day goes on.”*

*“I feel there should be greater emphasis on work to support those who find themselves in the position where begging is their means of support . Fining those who are already in financial difficulty, homeless, or struggling with mental health, addiction etc doesn’t address the root cause or solve the situation.”*

**5.3 E-Bikes, E-Scooters**

Scrutiny Committee requested that consideration be given to aggressive or unsafe use of bikes, e-bikes and scooters. 45.63% of respondents to the consultation cited this specific type of activity as ASB. 5 people specifically commented on requesting these controls within the PSPO at Question 9 – any additional controls.

*“Control of ebikes/escooter use on pavements”*

*“Much more regulation of e scooters- they are so dangerous particularly on the riverfront paths and footbridge. Bikes and other vehicles should not be allowed on the footbridge - they are such a danger to pedestrians as they fly over the bridge which is often very busy.”*

*“use of ebikes and scooters banned and riding of bicycles controlled”*

**5.4 Enforcement/Partnership working**

A number of response called for all parties to work more closely in dealing with issues in and around City Centre and for increased patrols and enforcement associated with the PSPO. Examples of some comments taken from across the consultation response:

“An actual presence of authority figures, it's all well and good making laws, useless if not enforced.”

“The wardens should be more proactive, as they seem to do very little to stop anti social behaviour.”

“I think stronger Police presence would be better”

“Need more and frequent high visibility police patrols in these areas”

## 5.5 Urination/defecation

In the July 2021 Scrutiny Report, a recommendation was made to include a restriction on “*No person shall urinate or defecate in a public space or in public view except in a premises designated for that purpose within the Restricted Area.*”. This mirrored a restriction in the Pillgwenlly PSPO. This was included as result of ASB officer feedback from Newport ASB/Community Safety Wardens Teams.

28% of respondents indicated they experienced this form of ASB.

## 5.6 Area Extension

A number of comments supported extension of the PSPO restricted area. Locations suggested for inclusion include: Clarence Place, Pillgwenlly, Maindee and Victoria Wards and the Malpas Road area. A number of respondents suggested that the restrictions be imposed across Newport.

5.7 A small number of comments were made across the public response indicating concern that the restrictions may be too draconian.

“Over zealous traffic wardens with power trip attitudes.”

“Public servants, not gestapo”

## 5.8 Recommendations to Scrutiny:

**5.8.1 Recommendation to Scrutiny Committee to retain the existing PSPO conditions, and include an additional restriction on aggressive and dangerous use of E.bikes, scooters etc. in the city centre which would mirror the restriction included in the Pillgwenlly PSPO made by the Council earlier this year.**

“Cyclists, or users of scooters, E-scooters, E-bikes, skateboards and hover boards, are to dismount if requested to do so by an authorised officer, if they are of the opinion that the operator is riding in an unsafe manner which is causing or is likely to cause a danger to the public in the Restricted Area.”

**5.8.2 Recommendation to Scrutiny Committee to retain the existing PSPO restriction wording to retain the link to cashpoints, payment machines and aggressive nature of begging. There is concern regarding begging within the City Centre, however, begging is not anti-social behaviour if undertaken in respectful**

and non-aggressive manner, and the relevant legislation is in place to respond to anti-social behaviour.

**5.8.3 Recommendation to Scrutiny not to include a restriction on Urination or Defecation**

## **Section B – Supporting Information**

### **7.0 Links to Council Policies and Priorities**

7.1 These have already been considered in the initial report to Scrutiny Committee in February 2021.

### **8.0 Risks**

8.1 These have already been highlighted in the initial report to Committee in July 2021.

### **9.0 Financial Implications**

9.1 There are no financial implications to the Scrutiny committee reviewing the need for the PSPO, consultation process or proposed amendments to the PSPO. There are no financial costs associated with undertaking the consultation.

### **10.0 Background Documents**

10.1 These have already been provided in the report to Committee in July 2021.

Report Completed: 16 September 2021.

## Appendix 1: Electronic copy of full feedback



Results - City  
Centre PSPO Survey



## Appendix 2

# Fairness and Equalities Impact Assessment (FEIA)

Version 3.6 May 2017

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

**Completed by:** Rhys Thomas      **Role:** Principal EHO

**Head of Service:** Gareth Price      **Date:** 15/09/2021

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

Yes

**When you complete this FEIA, it is your responsibility to submit it to**

impact.assessment@newport.gov.uk

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

Review of the current City Centre Public Spaces Protection Order (PSPO) (Anti-Social Behaviour, Crime and Policing Act 2014) to ensure that the restrictions in the Order address the anti-social behaviour currently being experienced in Newport City Centre.

This review is supported by Gwent Police who feel that revised restrictions will improve their ability to deal with the anti-social behaviour being experienced by members of the public.

The Order provides enforcement officers with additional powers than those provided by existing legislation, as Fixed Penalty Notices can be issued for non-compliance with a PSPO restriction.

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

This review has been led by the Overview & Management Scrutiny Committee. At its meeting in July 2021, the Scrutiny Committee considered the issues and agreed for public consultation to commence to seek views on experiences of the city centre, views on review the current restrictions, possible amendments to them and views on possible new measures to be included in a revised PSPO. Over 100 responses to that consultation were received. The 2019 Well Being Assessment of Stow Hill Ward provides the most recent data on the population make-up of Stow Hill Ward, the ward that accounts for the majority of the restricted area within the PSPO.

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

The results of the public consultation have been summarised and included in the report to Scrutiny Committee for the meeting on 23 September 2021.

**4. Equalities and Welsh language impact**

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
<b>Age</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Positive: The proposed restrictions are designed to reduce ASB in the immediate area, which would promote community cohesion and increase footfall in the city centre.</p> <p>Reducing ASB in the area should also help to ensure that the area is a safer place for young people to interact, as well as ensure the environment is safer for all age groups.</p> <p>Negative: The proposals are designed to provide the Police with additional powers to disperse individuals and groups who are causing ASB, from the area. This is likely to impact on people in the 10 – 24 years and the 25 – 34 years census categories more than other age categories.</p> <p>2019 Community Wellbeing assessment/ward analysis shows Stow Hill has a low percentage of 0-15 year olds.</p>
<b>Disability</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.</p> <p>Unsafe use of bikes, scooters and e-bikes (et al) may affect those with visual impairment, or a disability more than others.</p> <p>10% of consultation responses identified as being disabled in some way.</p>





Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
<b>Gender reassignment/transgender</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.
<b>Marriage or civil partnership</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.  50% of consultation respondents were married, 41% indicated not. 7% preferred not to say.
<b>Pregnancy or maternity</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.
<b>Race</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.  89% of consultation respondents identified as being White, Welsh, English, Scottish, Irish, British.  7.41% of consultation respondents preferred not to say. <1% of consultation respondents identified as White Other, Other mixed and other ethnic group.  2019 Community Well Being Profile of Stow Hill Ward:


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	Positive	Negative	Neither																																																	
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<b>Sex/ Gender Identity</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Within the evidence provided by Gwent Police and the Council's Community Safety team, where the sex of the youths causing problems is mentioned, the sex is 'male' in the majority of incidents. Therefore the proposals may have an impact on male individuals.</p> <p>91.43% of respondents indicated their gender identity at the time of responding was the same as at birth.</p> <p>0.95% indicated their current gender identity is not the same as at birth.</p> <p>7.62% of respondents preferred not to say.</p>																														
<b>Sexual Orientation</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed restrictions are designed to reduce ASB in the city centre, which would promote community cohesion and help eliminate potential harassment/victimisation. This should help to ensure that groups of all protected characteristics feel more confident in using the space.</p> <p>79% of consultation respondents indicated they were heterosexual.</p> <p>6% of consultation respondents indicated they were homosexual.</p> <p>11% preferred not to indicate.</p>																														

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Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposals will not have an impact on this issue.</p> <p>9% of consultation respondents indicated they were a Welsh Speaker.</p> <p>81% of consultation respondents indicated they were not a Welsh speaker.</p> <p>9% preferred not to say.</p>

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

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p><b>Long Term</b></p> <p>Balancing short term need with long term needs</p>	<p>The maximum duration of a Public Spaces Protection Order is 3 years but it could be renewed if appropriate. The aim of the proposals is to reduce ASB in the area and it is hoped that this would have a long term benefit to the community.</p>
 <p><b>Collaboration</b></p> <p>Working together to deliver objectives</p>	<p>Only the Council can make a Public Spaces Protection Order, however it would provide the Police with additional/alternative powers with which to address ASB in the area. The Community Safety team will continue to work together with the Police and other agencies/partners to address ASB. The Police support the proposals.</p>
 <p><b>Involvement</b></p> <p>Involving those with an interest and seeking their views</p>	<p>The review of the City Centre Public Spaces Protection Order has been led by Scrutiny and the public consultation undertaken was designed to be wide-ranging.</p>
 <p><b>Prevention</b></p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>A Public Spaces Protection Order cannot address the roots causes of why some individuals cause ASB in this area, but Partners within the Public Services Board work closely together to ensure that resources are used to address such causes where possible.</p>

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

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

The proposal is designed to impact on the city centre – Stow Hill Electoral Ward – which is appropriate due to the specific nature of the area and the specific ASB being experienced.

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

Parameter 1 deals with equal treatment whilst recognising difference. The proposal will primarily impact on specific groups and individuals who are acting in an anti-social and intimidating manner and they will intentionally be subject to the PSPO restrictions.

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



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

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

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

Should the revised PSPO restrictions be supported by Council, high quality publicity, provision of advice and proportionate and evidence based enforcement will be key to mitigating any negative impacts.

## **9 Monitoring, evaluating and reviewing**

Monitoring of the implementation and operation of the previous PSPO within the city centre was undertaken and this will continue should the new PSPO be implemented. The Scrutiny Committee may wish to agree to include review and monitoring of the implementation of the new City Centre PSPO on their forward work programme.

The impact of the new PSPO (if implemented) will also be reviewed as part of the process to implement a future PSPO (maximum 3 years’ time).

## **10 Involvement**

This FEIA will form part of the report to Scrutiny and Full Council and will be published by the Council.

## **11 Summary of Impact (for inclusion in any report)**

### **Equality Act 2010 AND Welsh Language**

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

There is no Welsh Language impact.

**Wellbeing of Future Generations (Wales) Act 2015**

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