

Report

Council



Part 1

Date: 23 November 2021

Subject City Centre Public Spaces Protection Order

Purpose To inform Council of the outcome of the Overview and Management Scrutiny Committee process and the results of the public consultation

To ask Council to consider the recommendations and to decide whether to approve the draft Order reflecting the recommendations made

Author Principal Environmental Health Officer

Ward City Centre

Summary A Public Spaces Protection Order (PSPO) is designed to prevent individuals or groups committing Anti-social Behaviour (ASB) 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.

They are enforced by the Police and Council Authorised Officers.

A previous PSPO for the City Centre expired in August 2021, this report outlines the processes that have been followed since then to devise the new restrictions and consult on the possible restrictions.

Proposal That, following recommendation by Scrutiny and Oversight Management Committee review of the PSPO, the Council adopts and implements the City Centre PSPO (2021 – 2024)

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
- Cabinet Member – Licensing and Regulation

Signed

Background

1.0 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. There are particular considerations for registered common land, town or village greens and open access land.

The maximum length of a PSPO is three years.

When making a PSPO, the Council must have particular regard to the rights of freedom of expression and freedom of assembly set out in the Human Rights Act 1998. Consideration of a PSPO will take place where there is material evidence of anti-social behaviour. Assessments will commonly include reports to the police, and various Council teams and partner agencies.

2.0 What kind of restrictions can be in a PSPO?

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.

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.

Enforcement

Orders will be enforced by a Police Officer, Police Community Support Officer and delegated Council Officers e.g. Community Safety Wardens or Environmental Health staff.

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 or a level 3 fine of up to £1,000 on prosecution.

3.0 Approving the City Centre PSPO

This is matter for Full Council to decide.

3.1 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?

3.2 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. An appeal, if made will be against the implementation whole order.

4.0 Previous PSPO

A City centre PSPO has been in existence for over 5 years. The most recent version was implemented in 2018. It contained a number of restrictions that were drafted to reflect specific anti-social behaviour and low level crime at that time.

The Order contained a number of restrictions that were focussed on alcohol use, begging in proximity to cash points, dogs being kept on leads, unauthorised peddling and street trading people, people gathering/harassing and the use of and ingestion or consumption of drug paraphernalia.

5.0 New PSPO 2021 - 2024

The proposed PSPO is contained within Annex A of this report and if agreed by Council will contain 7 restrictions.

6.0 Financial Summary

There are no financial considerations to implementing the proposed PSPO. Enforcement of it will be met by existing staff within existing budgets in Gwent Police and Newport City Council.

7.0 Risks

The risks associated with introducing new restrictions and the City Centre PSPO are minimal. The risks include implementing unenforceable restrictions, imposing conditions that have unexpected consequences, unfairly impact on otherwise permitted freedoms, and the PSPO becoming irrelevant.

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. Public Consultation.	Head of Law and Regulation
Council puts in measures that are disproportionate to the problems experienced / open to legal challenge	H	L	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

8.0 Links to Council Policies and Priorities

Newport's Corporate Plan 2017-2022, "Building a better Newport" has a key focus – to improve people's lives in all the Council does.

Antisocial behaviour is directly cited as an issue. A PSPO in an adjacent ward is referenced in the Corporate Plan as a key tool to improving people's lives and delivering a more resilient community in Pill. Comments from respondent so the public consultation outline that the existing City Centre PSPO has had a positive impact.

It will also assist the Council to meet its 'wellbeing goals' under the Well-being of Future Generations (Wales) Act 2015; in particular the 'prosperity' and "To build cohesive and sustainable communities.

The City centre PSPO area sits adjacent and in direct contact with the recently renewed Pillgwenlly PSPO area. There is commonality in some of the restrictions across these areas, but the individual restrictions are based on the bespoke evidence of anti-social behaviour and the information and partners views specific to those areas.

Safer Newport with representation across the Public Sector organisations in Newport have been appraised of the developments of the City Centre PSPO renewal.

9.0 Options Available and considered

9.1 Option 1

Approve the draft City Centre Public Spaces Protection Order at **Appendix A**, for a period of 3 years, as per the Overview and Scrutiny Management Committee's recommendation.

9.2 Option 2

Not to approve the Order.

10.0 Preferred Option and Reasons

Option 1 - Approve the revised City Centre Public Spaces Protection Order at Appendix A, for period of 3 years, as per the Overview and Scrutiny Committee's recommendation.

This is supported by Gwent Police and is felt by Council Officers to be a proportionate response to the on-going anti-social behaviour being experienced in the area. The use of a PSPO was fully supported through the public consultation and Overview and Scrutiny Management committee.

11.0 Comments of Chief Financial Officer

Approval to implement the City Centre PSPO will not result in any adverse financial impact, enforcement will be carried out using existing staff and budgets.

12.0 Comments of Monitoring Officer

The Council has a statutory power under the Anti-Social Behaviour, Crime and Policing Act 2014 to make Public Space Protection Orders in order to prevent types of anti-social behaviour which have, or are likely to have, a detrimental effect on the quality of life of those in the locality and the behaviour is or is likely to be persistent or continuing in nature. The nature and extent of the PSPO must be reasonable having regard to the type of behaviour and its impact on the public. A PSPO has to be reviewed and, if necessary renewed every three years.

The original City Centre PSPO was made over 5 years ago and was last renewed in 2018. Therefore, it is necessary for the Council to undertake a further review of the need for the PSPO and decide whether to extend the Order for a further 3 years, with or without additional control measures.

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 renew any PSPO. However, because of the potential impact of the PSPO, it was agreed that a wider consultation and public engagement exercise should be undertaken by Scrutiny Management Committee, as with the previous review. Some additional control measures were identified by Scrutiny and these were included in the consultation. A general public consultation exercise was then carried out to assess the need and justification for specific control measures and 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 Management Committee have considered the consultation responses and have formulated their recommendations, the conclusions of which are set out in this report. In essence, Scrutiny Committee was satisfied that there is a continuing need for a City Centre PSPO and they are recommending that it be renewed on the same terms as previously, but with the inclusion of one additional control measure relating to the dangerous use of e-bikes and e-scooters. However, the final decision regarding the adoption of any PSPO is a matter for full Council.

When considering the need for any PSPO, the Council must act reasonably and, in particular, it must have regard to the Human Rights Act 1998. However, the rights and freedoms set out in the Articles to the Human Rights Act are qualified rights and can lawfully be restricted or limited where this is a necessary and proportionate means of achieving a legitimate aim, including public safety and the prevention of crime and disorder. It is a question of balancing rights and freedoms of individuals against the needs of the wider community. Therefore, the Council has to take a balanced decision regarding the need for 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 its socio-economic duty and, therefore, a Fairness and Equality Impact Assessment has also been carried out, which is also attached to this report.

Public support for a particular measure is not, of itself, sufficient grounds to renew the 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.

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

13.0 Comments of Head of People and Business Change

The report asks Council to approve a Public Spaces Protection Order for the city centre. The implementation will be met from existing resources and as such there are no specific staffing implications.

Safer Newport, the city's Community Safety Partnership (CSP) oversees the Safer City Centre sub-group which takes a place-based approach to identify and reduce ASB issues in this area of Newport. The partnership work has noted that some ASB issues have been exacerbated during Covid-19 and that there has been a further escalation of ASB issues as lockdown restrictions have lifted, particularly in the city centre. Respective sub-group Chairs and partners support the PSPO as an enforcement strategy alongside existing partnership work.

In addition, the CSP has recently secured £400,000 approx. to deliver a range of infrastructure and situational crime interventions increase the safety of the city centre for all, with a particular focus on women and girls, through Home Office Safer Streets 3 funding. Consultation in preparing the bid identified ASB as a significant contributory factor for residents feeling unsafe. A PSPO will positively contribute to this ongoing work.

Significant public engagement has been undertaken in the development of the proposal. Engagement demonstrates considerable support for the proposed control measures with significant numbers of people saying they had frequently experienced ASB issues within the area.

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 (FEIA), 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.

14.0 Comments of Stow Hill Ward Councillors

The Stow Hill ward Councillors attended the second (23rd September 2021) Scrutiny Committee meeting and endorsed the need for, and indicated support for, this PSPO during the meeting.

15.0 Scrutiny Committees

15.1 Overview and Scrutiny Management Committee 30th July 2021.

In this meeting, the proposed PSPO was introduced and significant discussion on the restrictions contained in the current Order occurred.

Committee heard the evidence on the nature and level of ASB related complaints and the information was reviewed, as was the use of the previous PSPO and the number of FPN's issued under it. The use of the PSPO in wider responses to ASB, including Community Protection Warnings and Notices was outlined by both Council and Police colleagues showing the integrated nature of the partnership working between the two public bodies.

Committee noted that the current PSPO was due to expire on 23rd August 2021.

The Law and Regulation department were asked to notify the consultation to local business owners to seek their views.

Committee requested inclusion of an E-scooter/E-bike/dangerous cycling restriction similar to the one included in the new Pill PSPO.

These actions were completed.

Minutes of the July Overview and Scrutiny meeting are available [here](#).

15.2 The conclusions of the July committee were:

- The Committee are concerned that the PSPO will lapse between 23rd of August and when it comes back to the next Council meeting.
- The Committee would like local business owners taken into account for the public consultation, as they will also be affected by the PSPO's continuation or any changes made.
- The Committee would like concerns with e-scooters and bikes included in the consultation, and would also like questions on a blanket begging ban included.
- A committee member enquired as to whether a hotline could be set up alongside the PSPO to facilitate the reporting of anti-social behaviour.

Committee agreed to progress to public consultation.

15.3 Overview and Scrutiny Management Committee: 23rd September 2021

The Committee heard and reviewed the results of the public consultation. Outlined in summary at section 21.0 and **Appendix C and D** below.

Committee agreed that the proposed PSPO should be presented to Full Council in November for consideration and if agreed, implementation at the next available opportunity.

Minutes of the September Meeting Scrutiny meeting are available [here](#).

The September 2021 Committee heard from the Ward Member for Stow Hill who made observations on the importance of the PSPO, its continued need and contributed to the wider discussion around the individual restrictions.

Law and Regulation officers were asked to ensure consistency of wording on the restrictions between the City Centre PSPO and the adjacent Pill PSPO. Where applicable, this has been undertaken.

15.4 Conclusions of the September Committee were:

- The Committee wished to express disappointment in the number of responses received.
 - The Committee made several suggestions as to how to resolve this, even with COVID restrictions in place – for example, to run telephone consultations or use our relationship with the academic institutions in Newport to garner more responses.
 - Further, Committee felt budget allocation may be needed for future consultations.
- There was some concern as to ambiguity in question 5C and that as presented to the public it may not have garnered a consistent response – some members of the public may have thought it was asking that the ban on begging be removed altogether, and some may have thought that it was with regards to extending the blanket ban on begging.

16.0 Equalities Impact Assessment and the Equalities Act 2010

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 that 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. Given the restrictions proposed, the evidence provided on the need for these controls, the consultation processes and its feedback, the proposed PSPO is proportionate and has a legitimate aim.

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 Freedom and Equalities Impact Assessment is at **Appendix B** and was presented to Scrutiny in the Report on 23rd September 2021.

17.0 Children and Families (Wales) Measure

Although no targeted consultation takes place specifically aimed at children and young people, consultation on all PSPO's is open to all of our citizens regardless of their age.

18.0 Wellbeing of Future Generations (Wales) Act 2015

The following principles are of relevance while considering the FGA2015:

- 18.1 **Long term:** This order replaces a previous order that expired in August 2021. It is for a defined time period and must be reviewed in 3 years. This period allows certainty from the public and the enforcement bodies and also time for the restrictions to take effect.
- 18.2 **Prevention:** The PSPO adds additional enforcement powers (Fixed Penalty Notices) to NCC and Police colleagues. Both organisations will encourage and advise alongside FPN issue and enforcement.
- 18.3 **Integration:** The PSPO fits directly into the corporate plan, and also the wider community objectives.

- 18.4 **Collaboration:** This PSPO has been drafted with the full support of Key partners including Police colleagues, and was openly consulted on for 1 month. Any amendment to the PSPO including changes to the nature of the restrictions and the remit or area of the PSPO must be consulted on.
- 18.5 **Involvement:** Newport residents have been consulted and directly involved in understanding the need and gauging their support for this PSPO with overwhelming support for the PSPO.

19.0 Crime and Disorder Act 1998

The implementation of the PSPO will directly support the themes under the Crime and Disorder Act 1998 and will be a key tool in dealing with antisocial behaviour in and around the City Centre.

The PSPO is used and fully supported by Gwent Police.

20.0 Consultation

The Consultation process was reviewed and agreed by Overview and Scrutiny Management Committee in July 2021 and the public consultation occurred in August 2021. The consultation responses and feedback were considered at its September meeting.

20.1 Summary of Consultation feedback:

108 electronic responses were received although for some questions relating to the restrictions only 107 responses were made. 103 respondents chose to outline their experiences of ASB.

There was strong support across all 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/e-scooter 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.

The full consultation responses are embedded in the September Scrutiny Report and also listed in the Background Papers (Section 22.0) of this report. This report also contains, in an excel spreadsheet, the full raw data, comments and number of responses from the public consultation as an embedded attachment under Section 22.0.

Begging

Council are invited to note that the issue of Begging received a significant volume of comments, and they were polarised. Agreement to retain the existing restrictions was clear (n=102; 95.3%).

The existing restriction was included in the previous PSPO as result of specific evidence, begging activities and trends in clearly defined areas, including but not limited to the ATM's on Bridge Street.

At the July Scrutiny and Oversight Management Meeting, Committee requested inclusion of a question asking whether the public felt begging should be banned across the City Centre, by removing the tie to prohibiting begging within 10 meters of a cash point/payment machine.

78.5% (n=82) of respondents agreed with this, with 21.5% (n=23) disagreeing with the proposal. The consultation response comments around this were polarised.

The need for a restriction to be included in a PSPO must be evidence based and a PSPO must be the most appropriate method to address the issue.

Public feedback through the consultation exercise shows a clear mandate for the Police and Newport City Council to work closely on gathering and reviewing such evidence in order to assess the need and appropriateness, or otherwise, of a PSPO to deal with a wider restriction on begging. The partners must ensure that they work together to consider how begging may be linked to other issues, and that given the impact that such a restriction would have, undertake a specific freedoms and impact assessment of any associated restriction on wider begging within a future PSPO, before the next PSPO review period.

20.2 The graphical responses to the consultation process are at **Appendix C**.

Each respondent was given the opportunity (voluntary and not mandatory) to offer a comment alongside each control or their response

20.3 These comments are provided in full at **Appendix D**

20.4 Supportive feedback through the consultation process includes:

"Need to tackle the issue of street drinkers"

"It's very intimidating when drunk people accost you in the street"

"I would say the PSPO has made a lot of difference in minimising such a behaviour." (Harassment)

"IF REFUSING TO OBEY AN ENFORCING OFFICER, AUTOMATIC FINE SHOULD BE IMPOSED."

"The PSPO has been successful in reducing these." (Street trading and pedallers)

"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."

"As long as there's no aggressive behaviour used, I don't blame people generally in need asking for money. However, I do understand why begging near an ATM would be inappropriate."

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

"I think that may prevent peaceful protest" (individuals/groups that may cause harassment)

"Measures and schemes to improve social cohesion will reduce antisocial behaviour. Particularly those which have a broad range of demographics."

- 20.5** However there were objections to some of the restrictions, helpful feedback on improved signage, or objection to the principle of a PSPO to deal with these issues.

"Over zealous traffic wardens with power trip attitudes"

"Public servants, not gestapo"

"There should be clear signage with regards alcohol and ASB."

"Need more and frequent high visibility police patrols in these areas" (Begging)

"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."

"this is the daily battle with beggin by cash point. when you get off the bus people as for spare change."

"I am a strong advocate of civil liberties but I will also defend my right to walk in a public place without fear or hesitation."

"I don't agree with the exemptions listed here. More specifically, I think smoking tobacco is just as anti-social as using illegal substances. Second hand cigarette smoke is harmful to everyone. This is a fact. Also, the smell can be sickening. I live in Newport town, and I find avoiding second-hand smoke is almost impossible most of the time. Especially because I'm pregnant currently, I'm very reluctant to walk through the city centre, which is rather inconvenient considering I live here."

"Again not enforced" (injest, inhale, smoke restriction)

"Begging near a cash point can be very dangerous. Keep this restriction."

21.0 Background Papers

- LGA PSPO Guidance to LA's (2020)
- Corporate Plan (2017-2022)
- Overview and Scrutiny Management Committee Report – July 2021
- Overview and Scrutiny Management Committee Report – September 2021
- (Excel) Results of Consultation – August 2021



10.21 PSPO
guidance_06_1.pdf



Corporate-Plan-201
7-2022.pdf



Cover report -
Scrutiny - 14.09.2021



Cover report -
Scrutiny - 22.07.2021



Results - City
Centre PSPO Survey

Dated: **11 November 2021**

Appendix A

PSPO 2021-2024

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 refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) in their possession, which are believed to contain alcohol, when required to do so by an authorised Officer within the Restricted Area.
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 metres 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 someone 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 within the Restricted Area. Persons who breach this prohibition shall, when ordered to do so by an authorised Officer, disperse immediately and not return within 24 hours, unless for a lawful reason.
5. No person shall within the Restricted Area:
 - Ingest, inhale, inject, smoke, possess or otherwise use intoxicating substances*.
 - Sell or supply intoxicating substances*.

Persons who breach this restriction shall surrender any such intoxicating substance in his/her possession when asked to do so by a Police Constable.**

**“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).*

***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.*

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 1.5 metres 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:-)
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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: <ol style="list-style-type: none"> Promote equal opportunity Promote community cohesion Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Age	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Positive:</p> <p>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:</p> <p>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>
Disability	<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>
Gender reassignment/ transgender	<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>
Marriage or civil partnership	<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</p>


Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: <ol style="list-style-type: none"> Promote equal opportunity Promote community cohesion Help eliminate unlawful discrimination/ harassment/ victimisation? 																																																
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				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.																																																
Pregnancy or maternity	<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.																																																
Race	<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: Ethnicity <table border="1"> <thead> <tr> <th></th> <th>Stow Hill</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>White; English / Welsh / Scottish / Northern Irish / British</td> <td>3,264</td> <td>68.4</td> </tr> <tr> <td>White; Irish</td> <td>45</td> <td>0.9</td> </tr> <tr> <td>White; Gypsy or Irish Traveller</td> <td>1</td> <td>0.0</td> </tr> <tr> <td>White; Other White</td> <td>298</td> <td>6.2</td> </tr> <tr> <td>Mixed</td> <td>93</td> <td>1.9</td> </tr> <tr> <td>Indian</td> <td>177</td> <td>3.7</td> </tr> <tr> <td>Pakistani</td> <td>220</td> <td>4.6</td> </tr> <tr> <td>Bangladeshi</td> <td>62</td> <td>1.3</td> </tr> <tr> <td>Chinese</td> <td>37</td> <td>0.8</td> </tr> <tr> <td>Other Asian</td> <td>198</td> <td>4.1</td> </tr> <tr> <td>Black African</td> <td>149</td> <td>3.1</td> </tr> <tr> <td>Black Caribbean</td> <td>68</td> <td>1.4</td> </tr> <tr> <td>Other Black</td> <td>11</td> <td>0.2</td> </tr> <tr> <td>Arab</td> <td>102</td> <td>2.1</td> </tr> <tr> <td>Other Ethnic Group</td> <td>48</td> <td>1.0</td> </tr> </tbody> </table>		Stow Hill	%	White; English / Welsh / Scottish / Northern Irish / British	3,264	68.4	White; Irish	45	0.9	White; Gypsy or Irish Traveller	1	0.0	White; Other White	298	6.2	Mixed	93	1.9	Indian	177	3.7	Pakistani	220	4.6	Bangladeshi	62	1.3	Chinese	37	0.8	Other Asian	198	4.1	Black African	149	3.1	Black Caribbean	68	1.4	Other Black	11	0.2	Arab	102	2.1	Other Ethnic Group	48	1.0
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Religion or Belief or non-belief	<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>43% of consultation respondents identified as being Christian</p> <p>22% of consultation respondents as having no religion</p> <p>13% of consultation respondents as being atheist</p> <p>12% preferred not to say.</p> <p><1% of consultation respondents indicated they were Muslim or Buddhist.</p> <p>2019 Community Wellbeing Ward analysis of Religious beliefs:</p> <p>Religion</p> <table border="1"> <thead> <tr> <th></th> <th>Stow Hill</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Christian</td> <td>2,398</td> <td>50.2</td> </tr> <tr> <td>Buddhist</td> <td>20</td> <td>0.4</td> </tr> <tr> <td>Hindu</td> <td>81</td> <td>1.7</td> </tr> <tr> <td>Jewish</td> <td>5</td> <td>0.1</td> </tr> <tr> <td>Muslim</td> <td>453</td> <td>9.5</td> </tr> <tr> <td>Sikh</td> <td>22</td> <td>0.5</td> </tr> <tr> <td>Other religions</td> <td>36</td> <td>0.8</td> </tr> <tr> <td>No religion</td> <td>1,363</td> <td>28.6</td> </tr> <tr> <td>Religion not stated</td> <td>395</td> <td>8.3</td> </tr> </tbody> </table>		Stow Hill	%	Christian	2,398	50.2	Buddhist	20	0.4	Hindu	81	1.7	Jewish	5	0.1	Muslim	453	9.5	Sikh	22	0.5	Other religions	36	0.8	No religion	1,363	28.6	Religion not stated	395	8.3
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Religion not stated	395	8.3																																
Sex/ Gender Identity	<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>																														

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: <ol style="list-style-type: none"> Promote equal opportunity Promote community cohesion Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
				7.62% of respondents preferred not to say.
Sexual Orientation	<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>
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>Long Term</p> <p>Balancing short term need with long term needs</p>	<p>The maximum duration of a Public Spaces Protection Order is 3 years but it could be renewed if appropriate. The aim of the proposals is to reduce ASB in the area and it is hoped that this would have a long term benefit to the community.</p>
 <p>Collaboration</p> <p>Working together to deliver objectives</p>	<p>Only the Council can make a Public Spaces Protection Order, however it would provide the Police with additional/alternative powers with which to address ASB in the area. The Community Safety team will continue to work together with the Police and other agencies/partners to address ASB. The Police support the proposals.</p>
 <p>Involvement</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>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>A Public Spaces Protection Order cannot address the roots causes of why some 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"> • A prosperous Wales – the PSPO would reduce ASB in the area. ASB can impact on the education of children and on the success of businesses. • A healthier Wales – the PSPO would reduce ASB which would help improve the mental well-being of those currently affected. • A Wales of cohesive communities – the PSPO would help to protect the local community and make it more viable and safe. <p>The information included above shows that there would be a positive impact on Newport City Council's Well-being Goals, as set out below:</p> <ul style="list-style-type: none"> • To improve skills, educational outcomes and employment opportunities • To promote economic growth and regeneration whilst protecting the environment • To enable people to be healthy, independent and resilient • To build cohesive and sustainable communities

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

The proposal is 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.

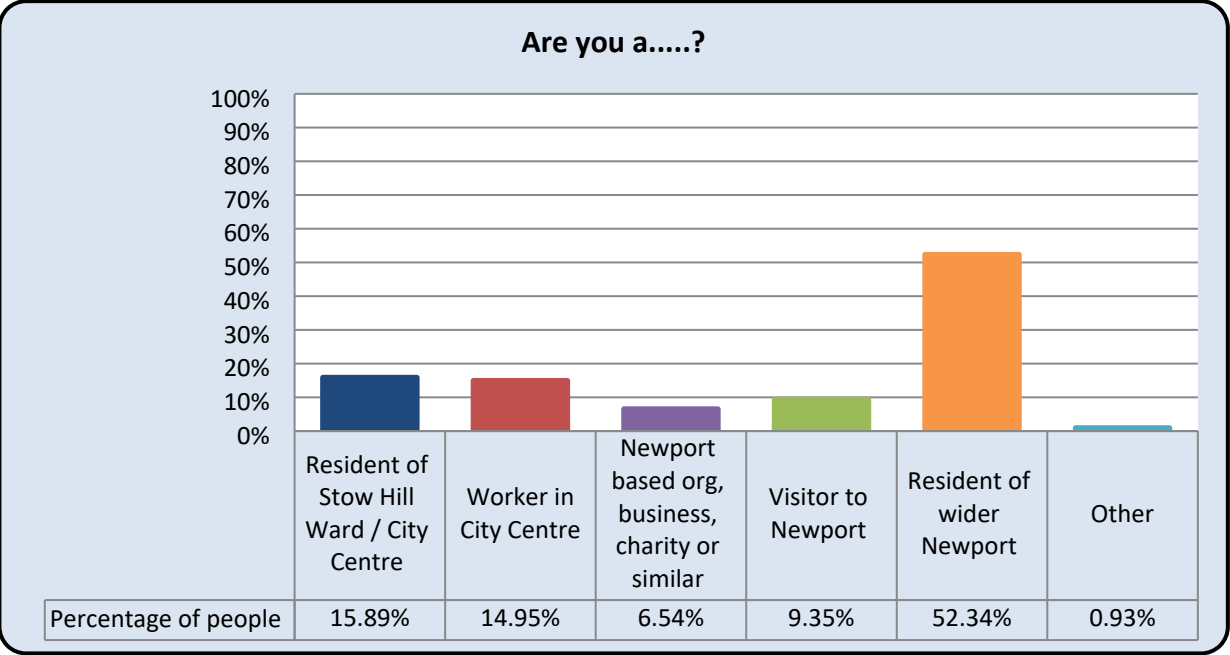
Wellbeing of Future Generations (Wales) Act 2015

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

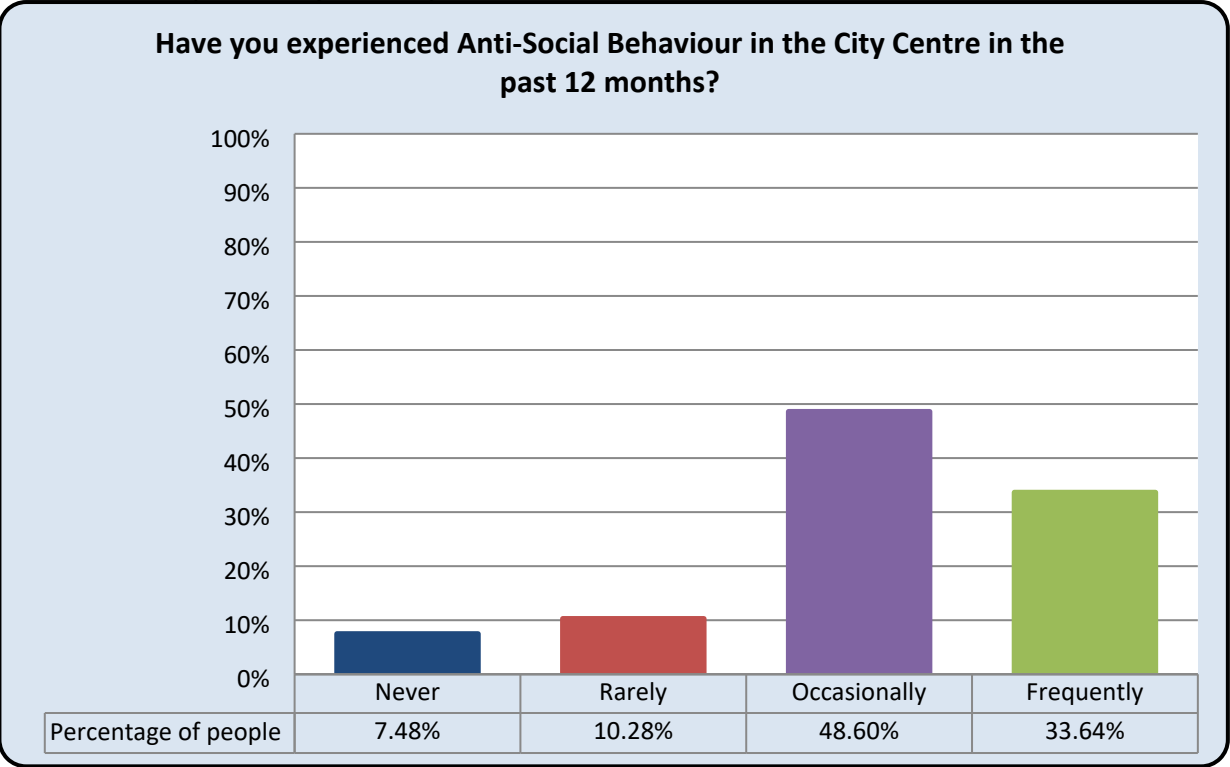
Appendix C

Graphical Consultation Responses

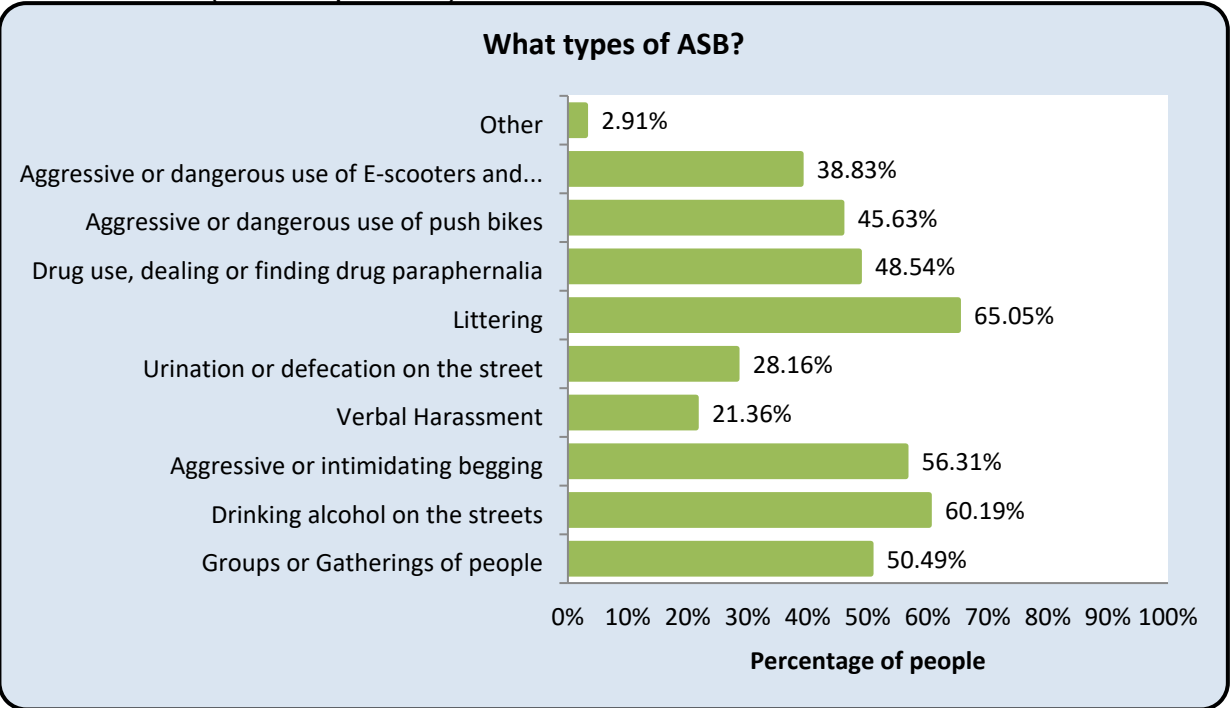
Question 1 (107 responses)



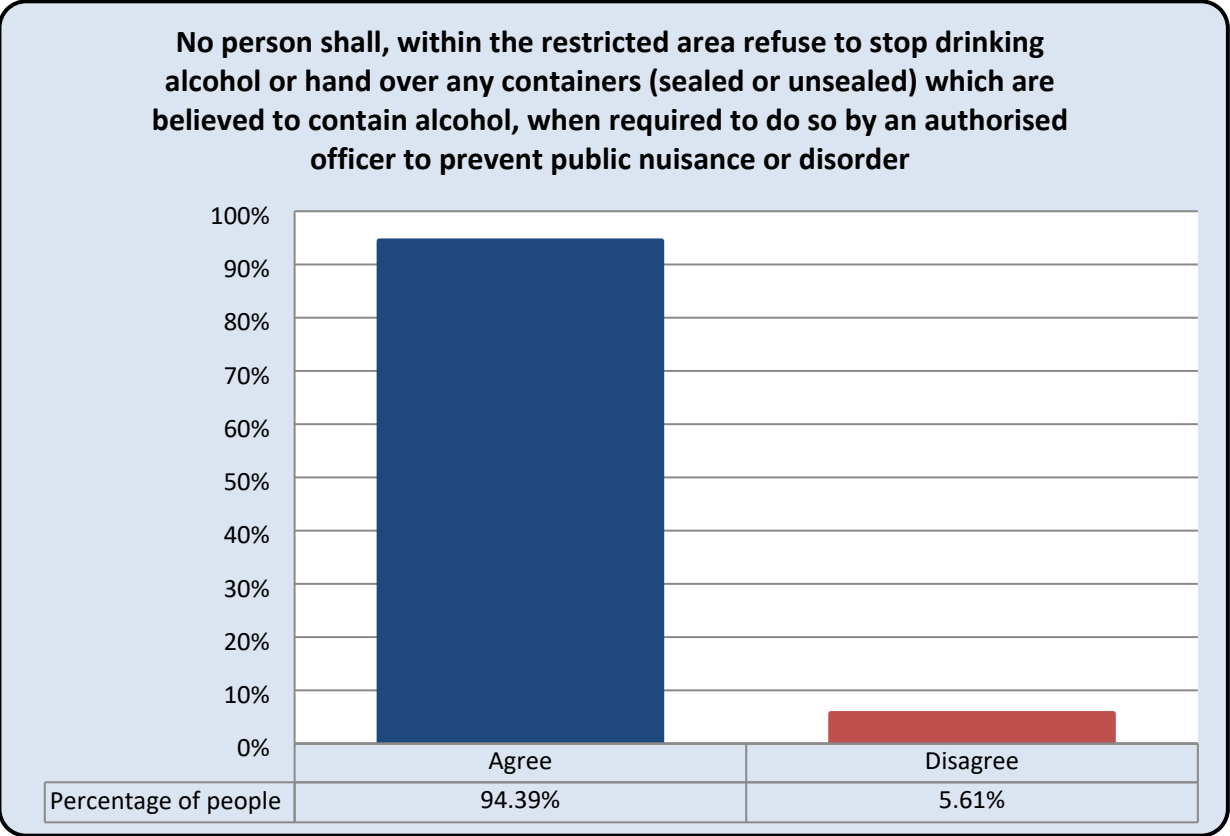
Question 2 (107 responses)



Question 2a (103 responses)

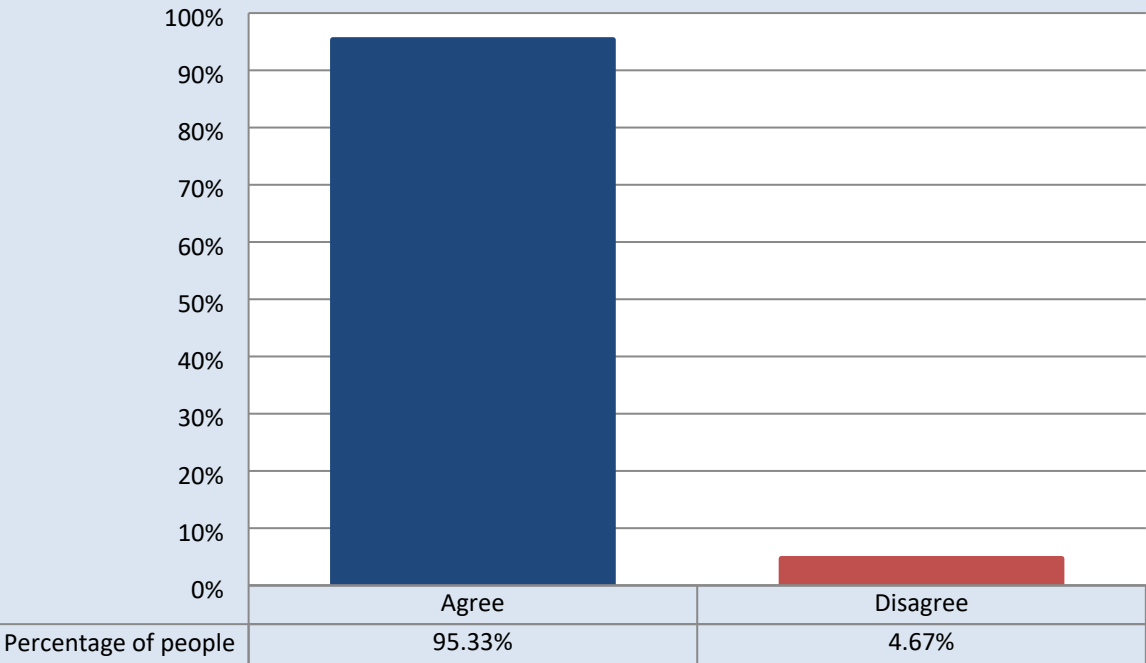


Question 3 (107 responses)

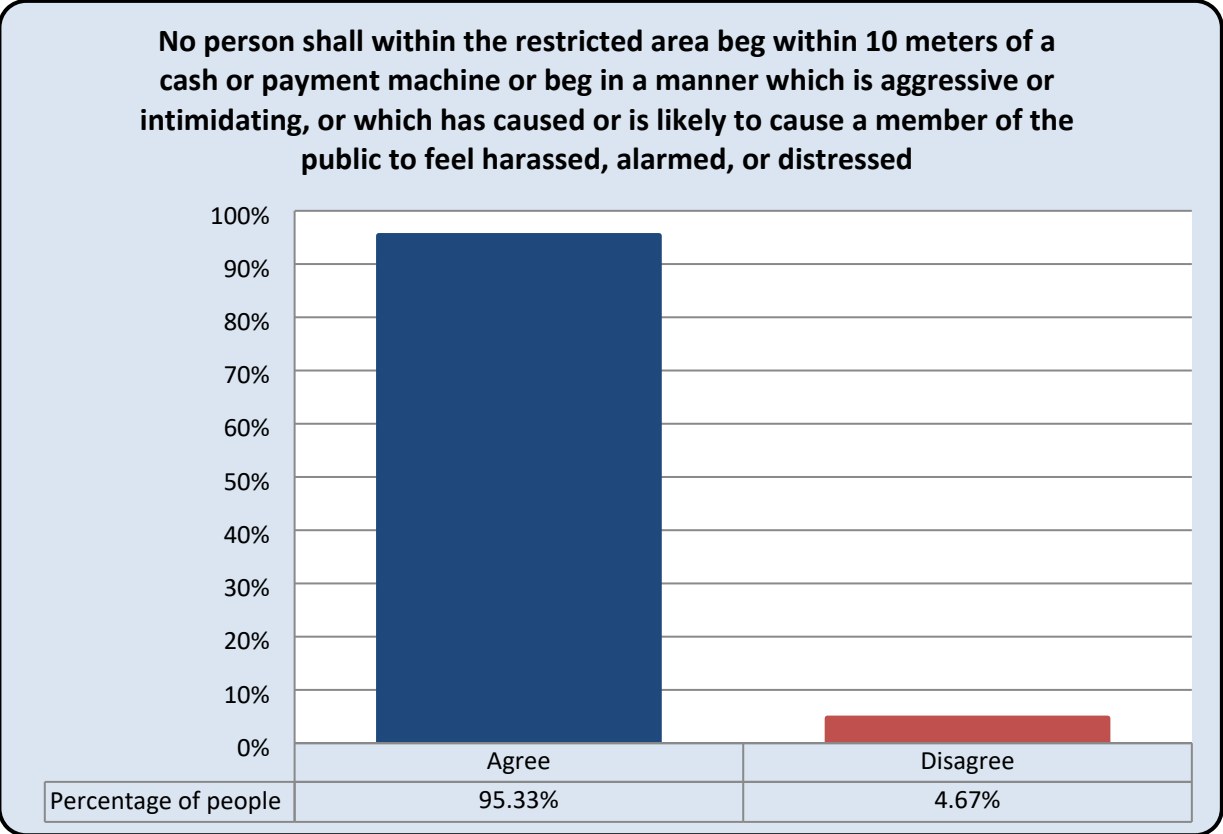


Question 4 (107 responses)

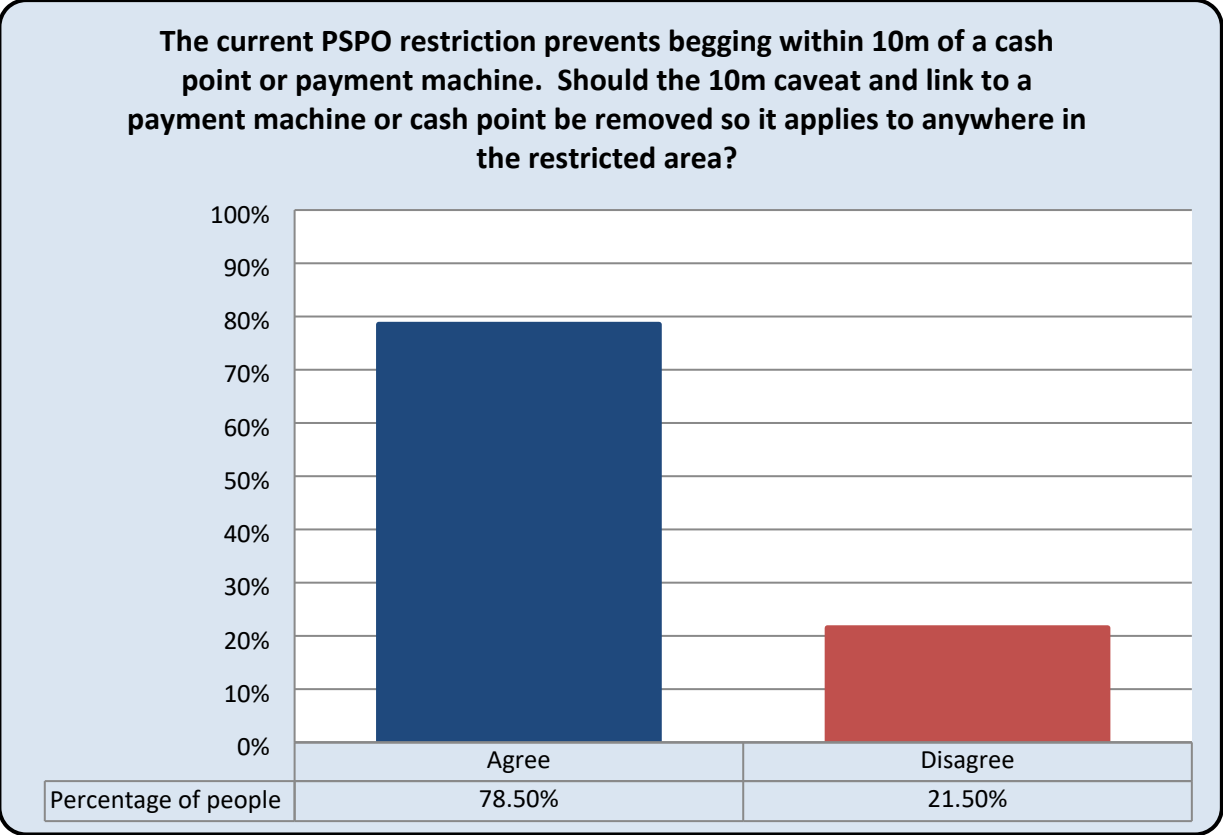
No person shall within the restricted area undertake “street trading” which includes peddling, charity collecting or touting for services, subscriptions or donations UNLESS authorised to do so by an existing Police or Council issued or Council recognised



Question 5 (107 responses)

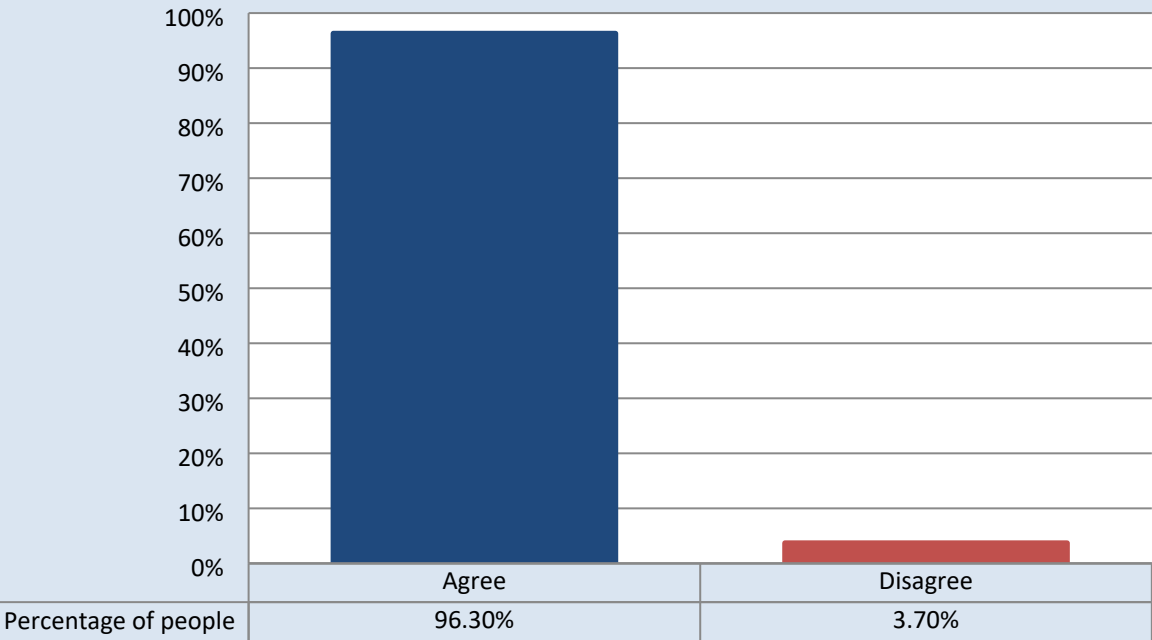


Question 5C (107 responses)



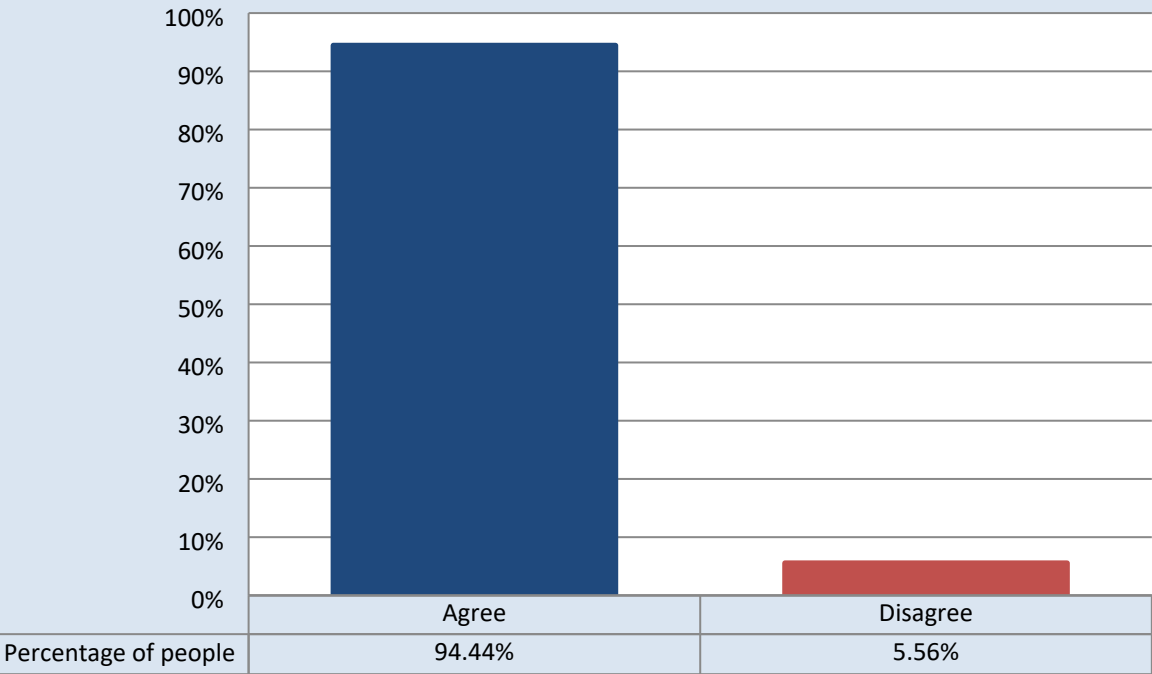
Question 6 (108 responses)

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



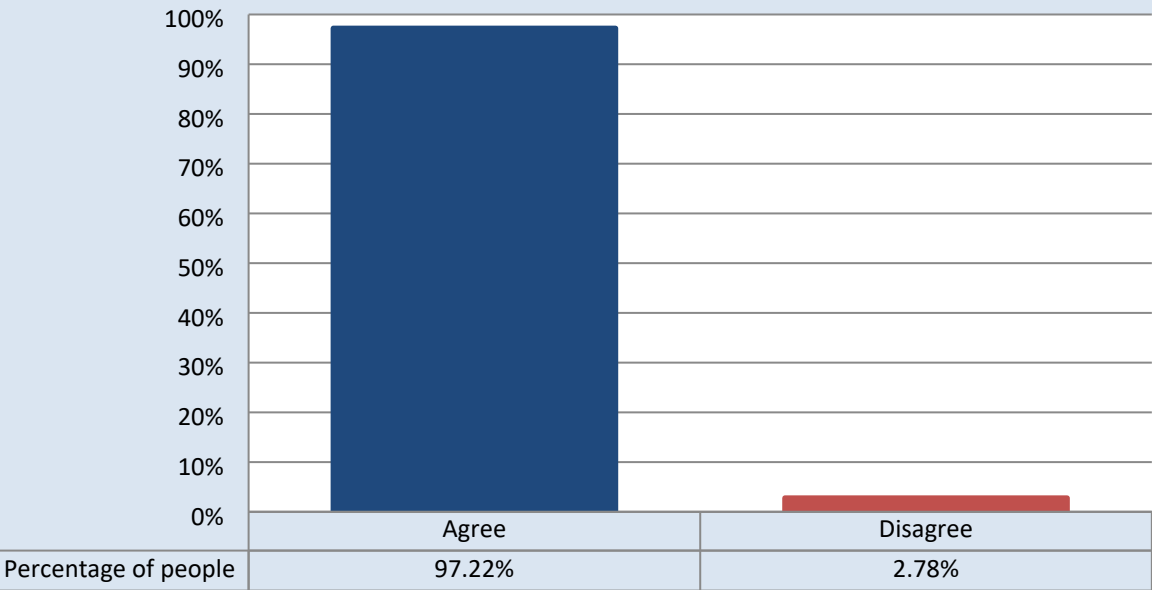
Question 7 (108 responses)

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

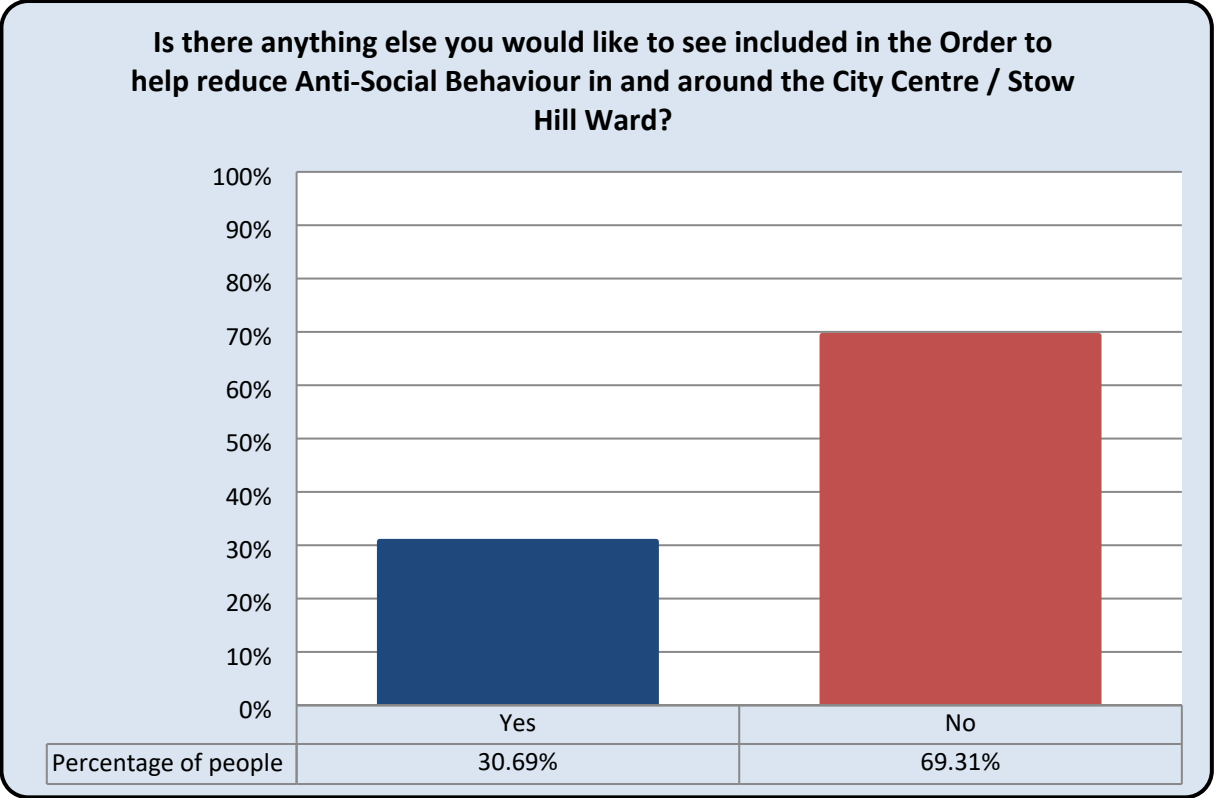


Question 8 (108 responses)

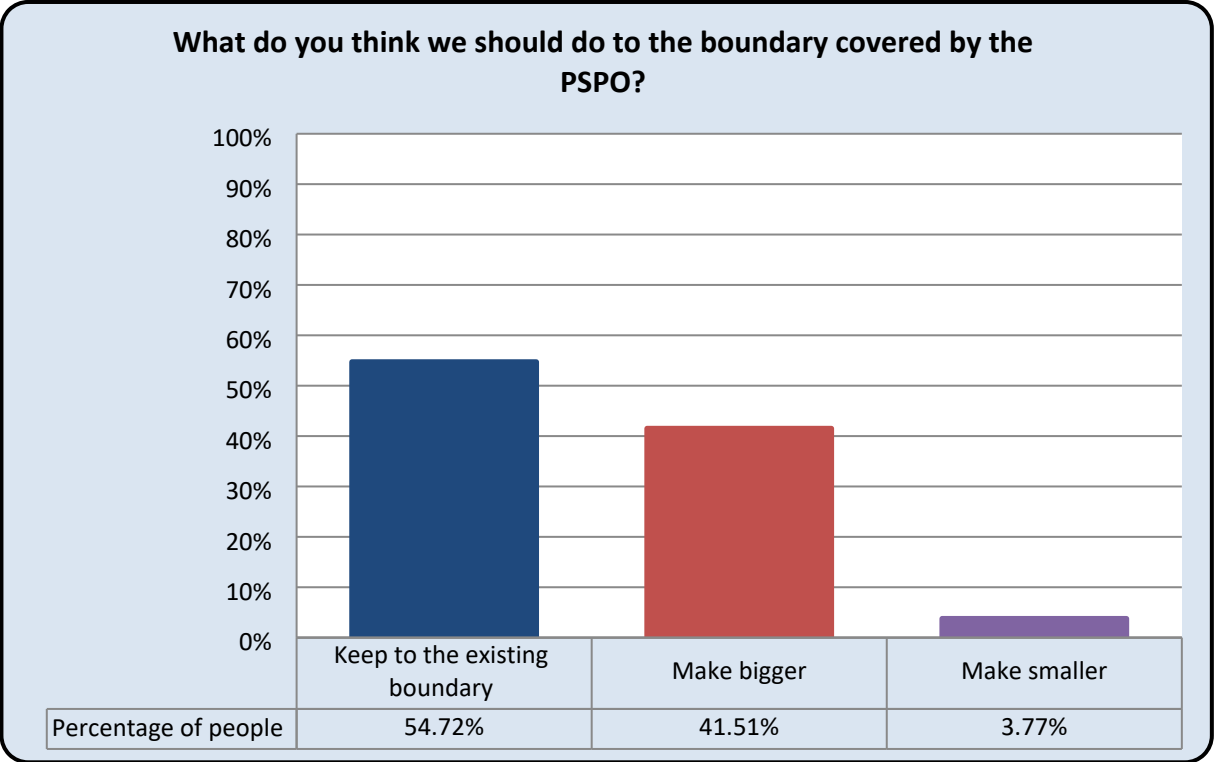
Any person in charge of a dog within the restricted area shall be in breach of this Order if he/she fails to keep the dog on a lead (of no more than 1.5meters in length)



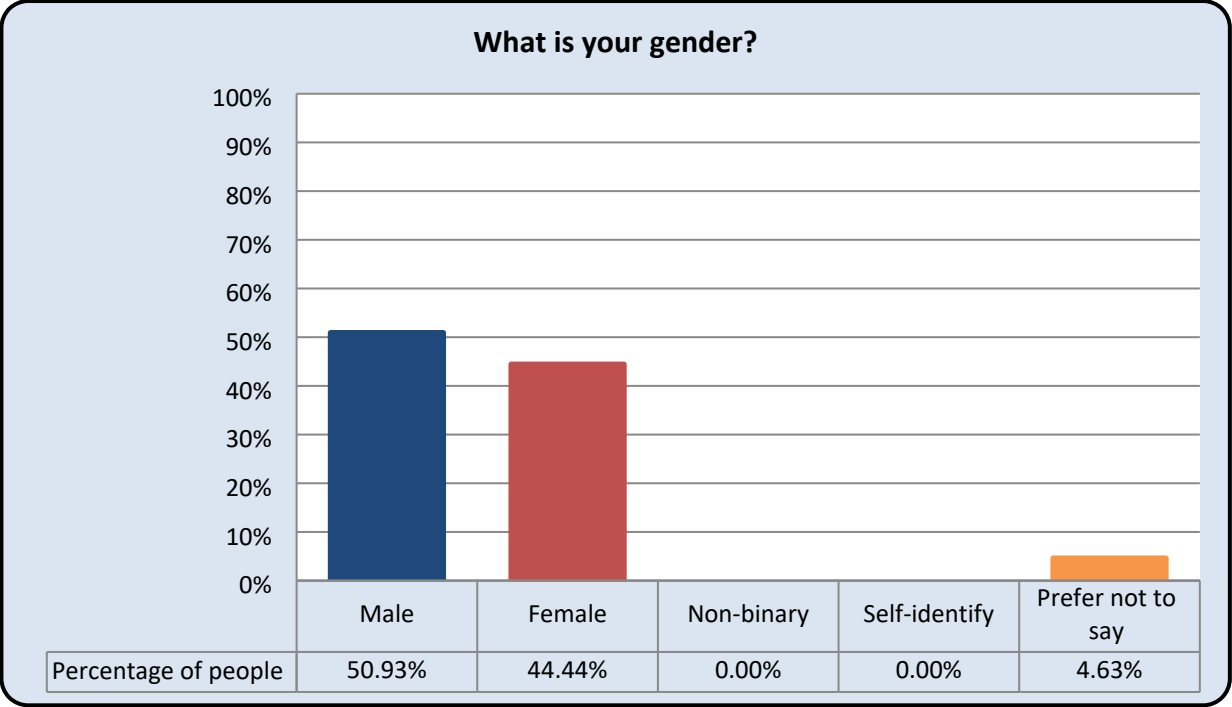
Question 9 (101 responses)



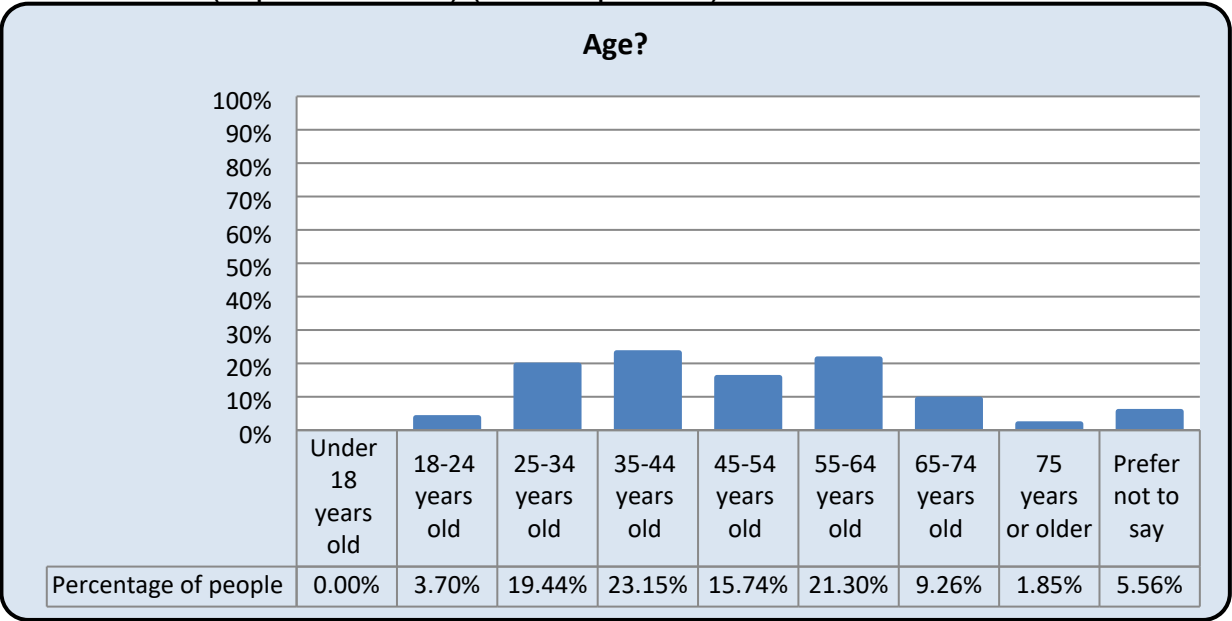
Question 10 (106 responses)



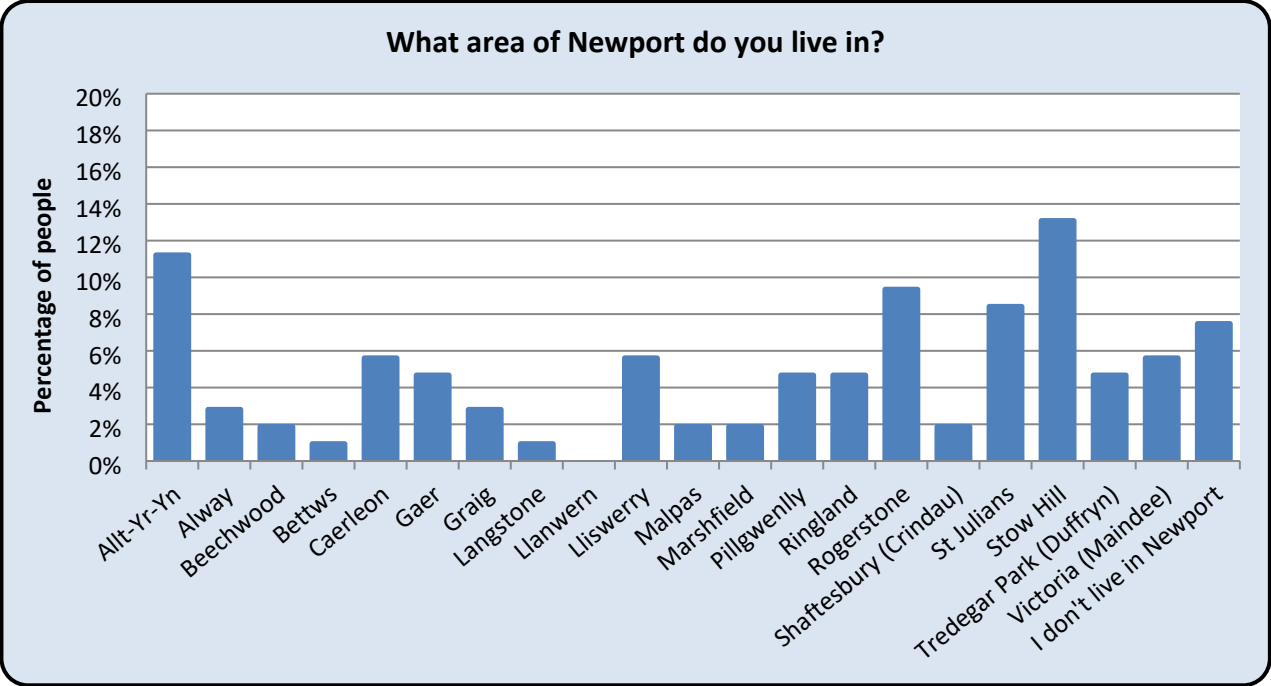
Question 11 (Equalities data) (108 responses)



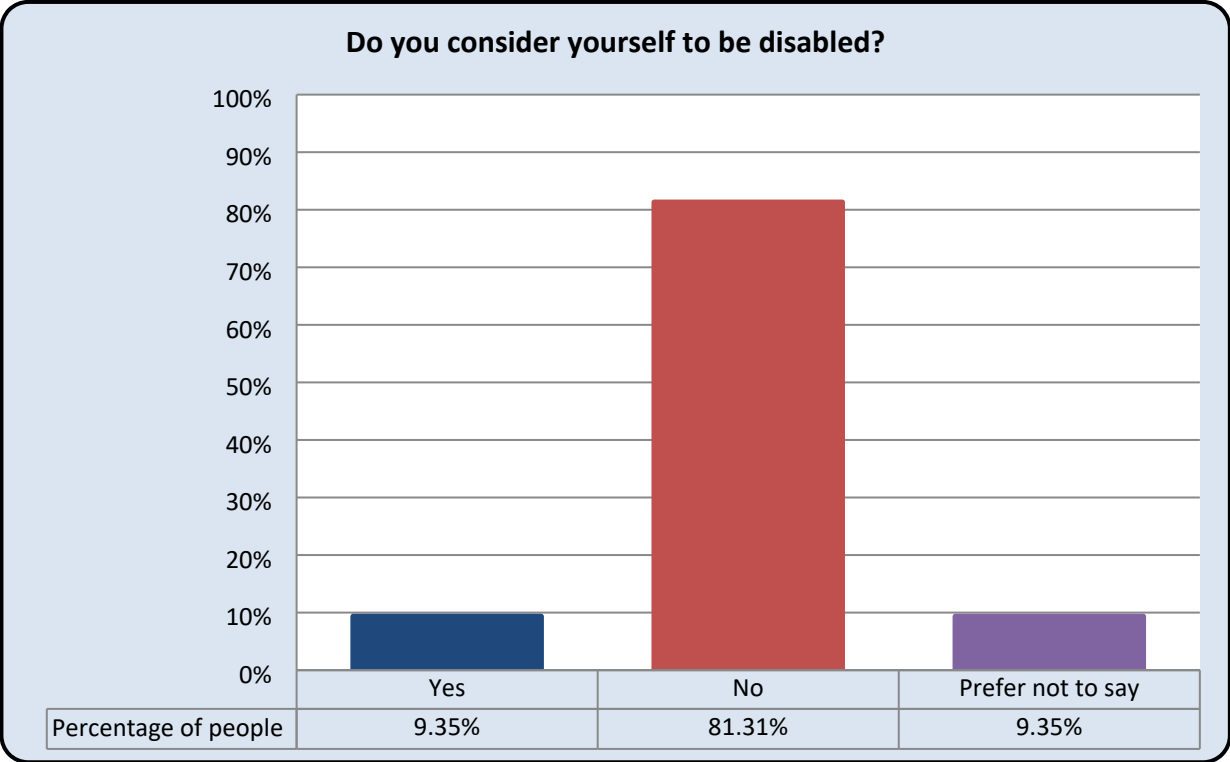
Question 12 (Equalities data) (108 responses)



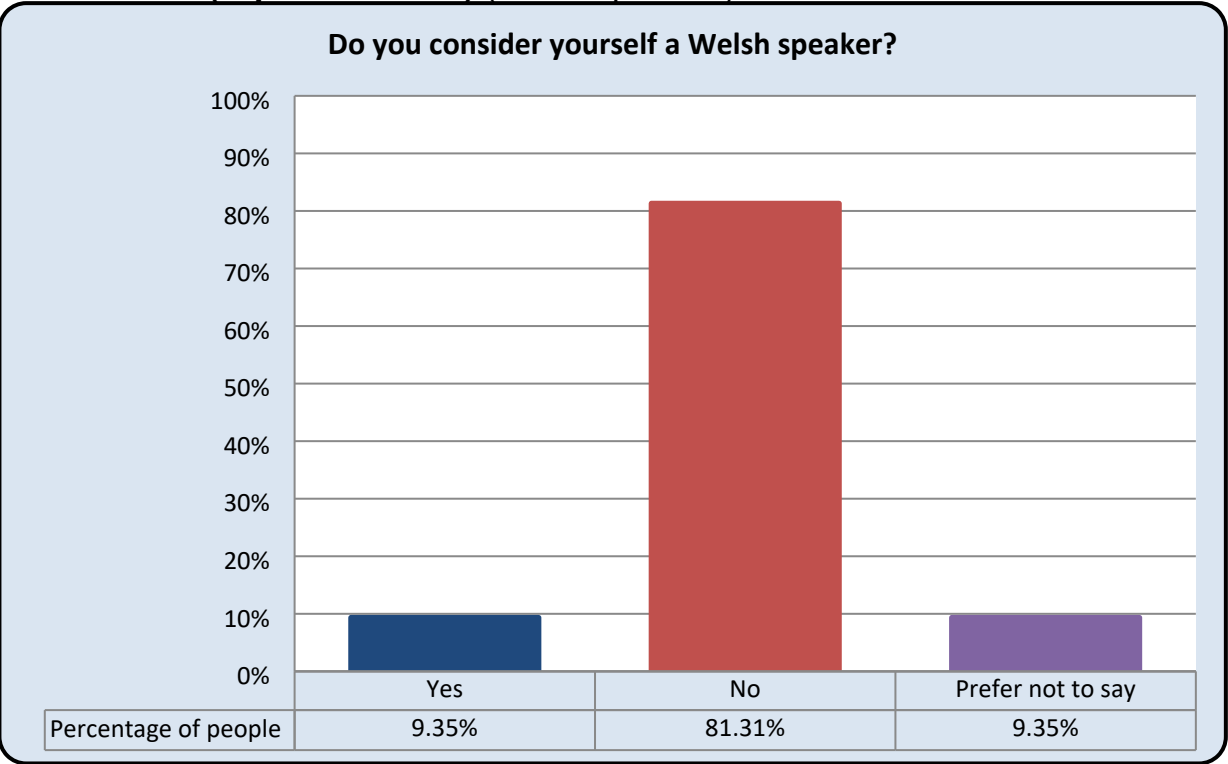
Question 13 (Equalities data) (107 responses)



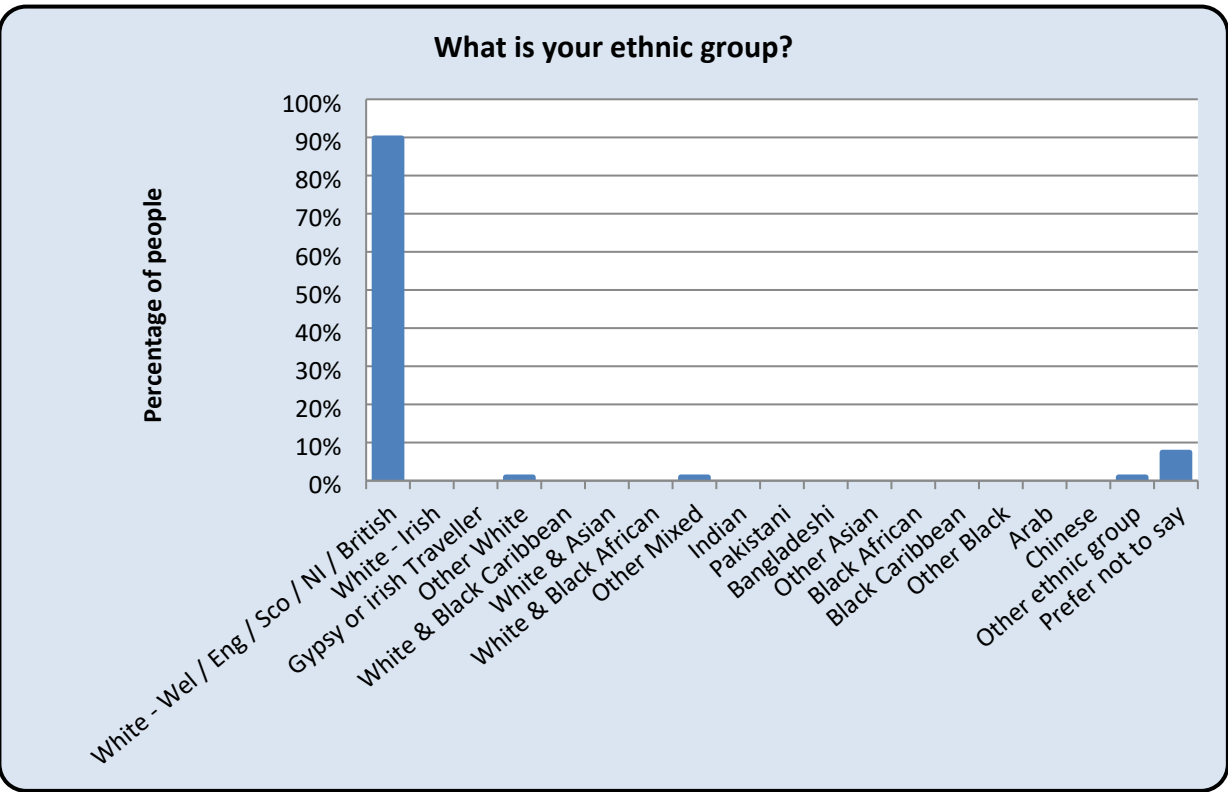
Question 14 (Equalities data) (107 responses)



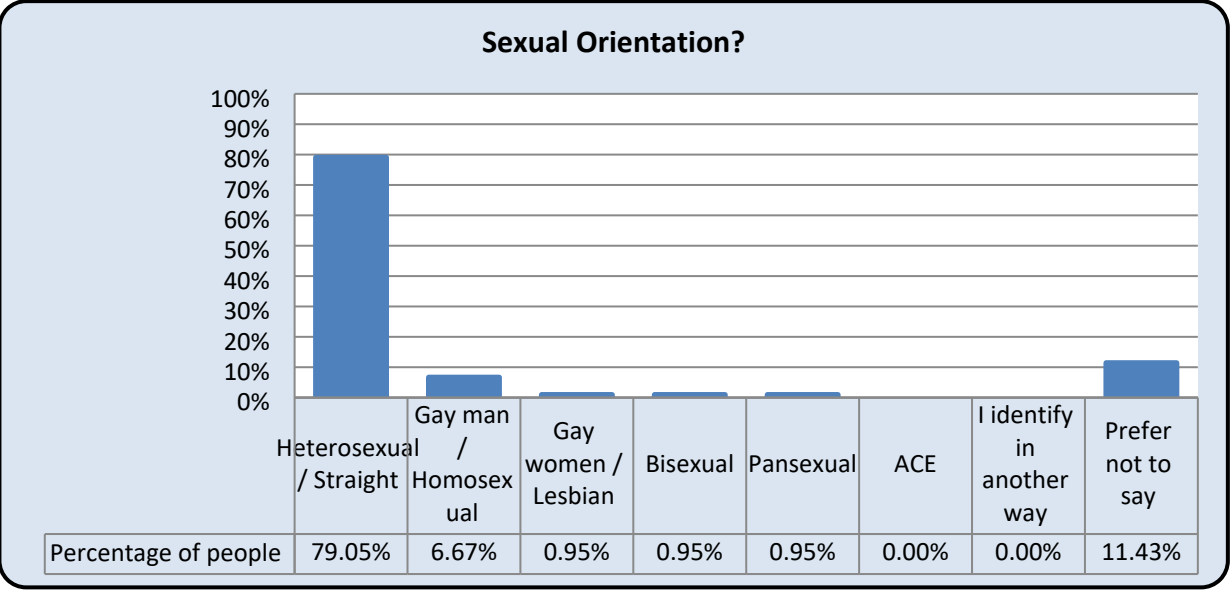
Question 15 (Equalities data) (106 responses)



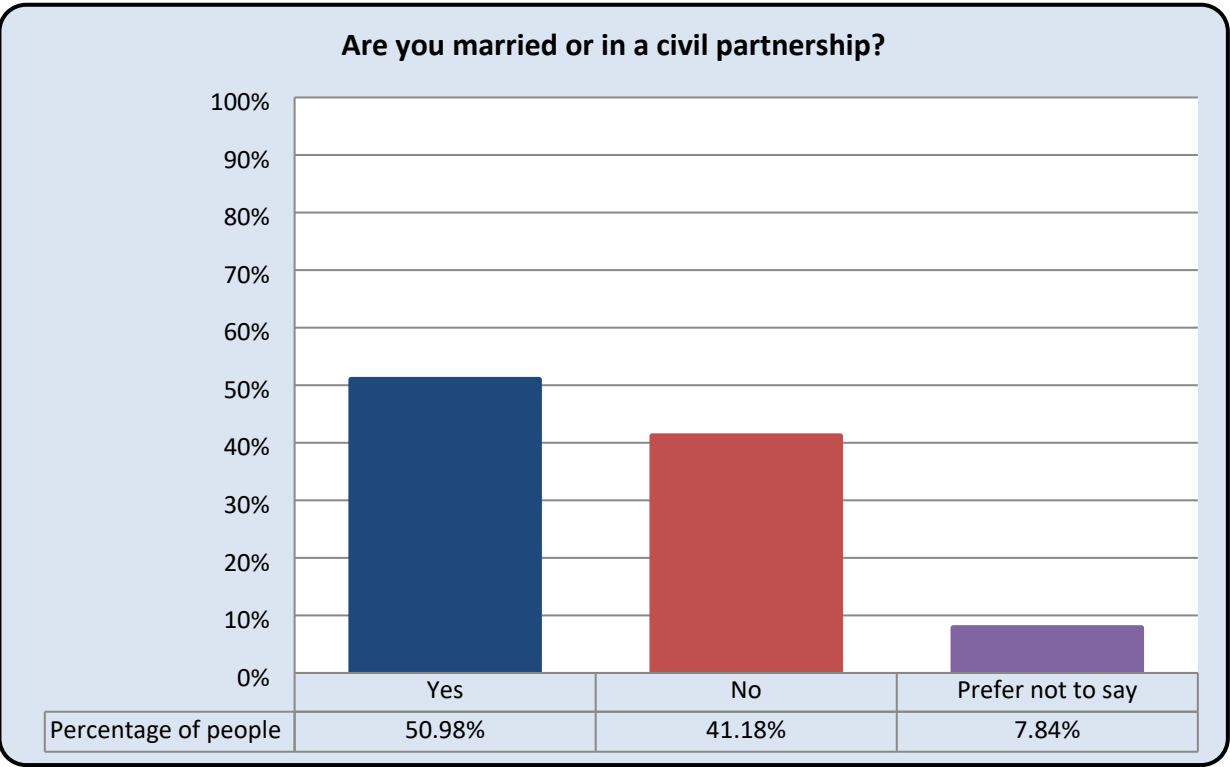
Question 16 (Equalities data) (108 responses)



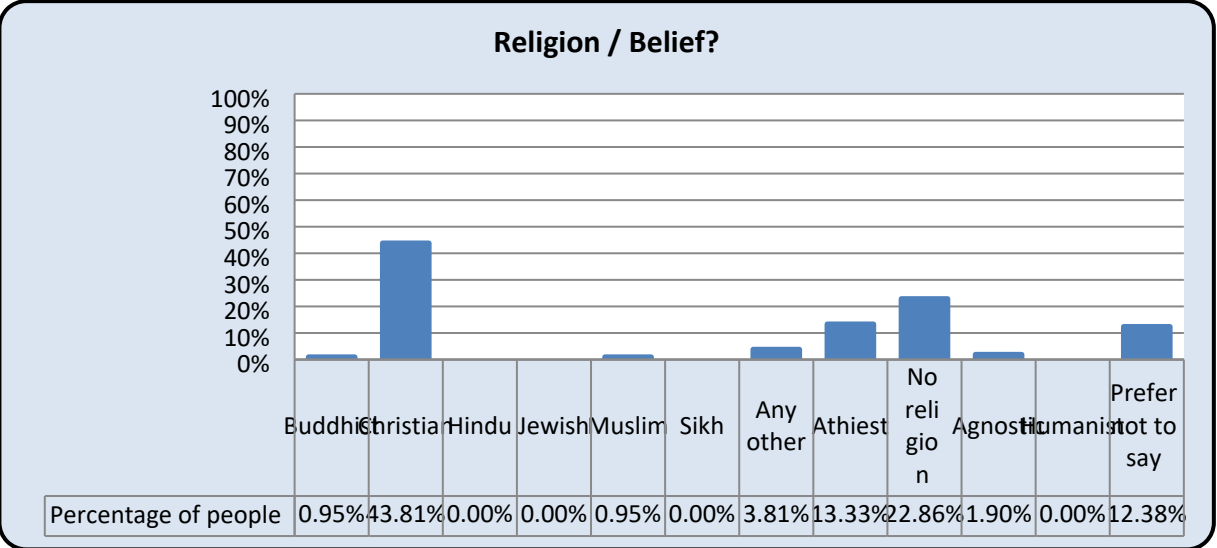
Question 17 (Equalities data) (105 responses)



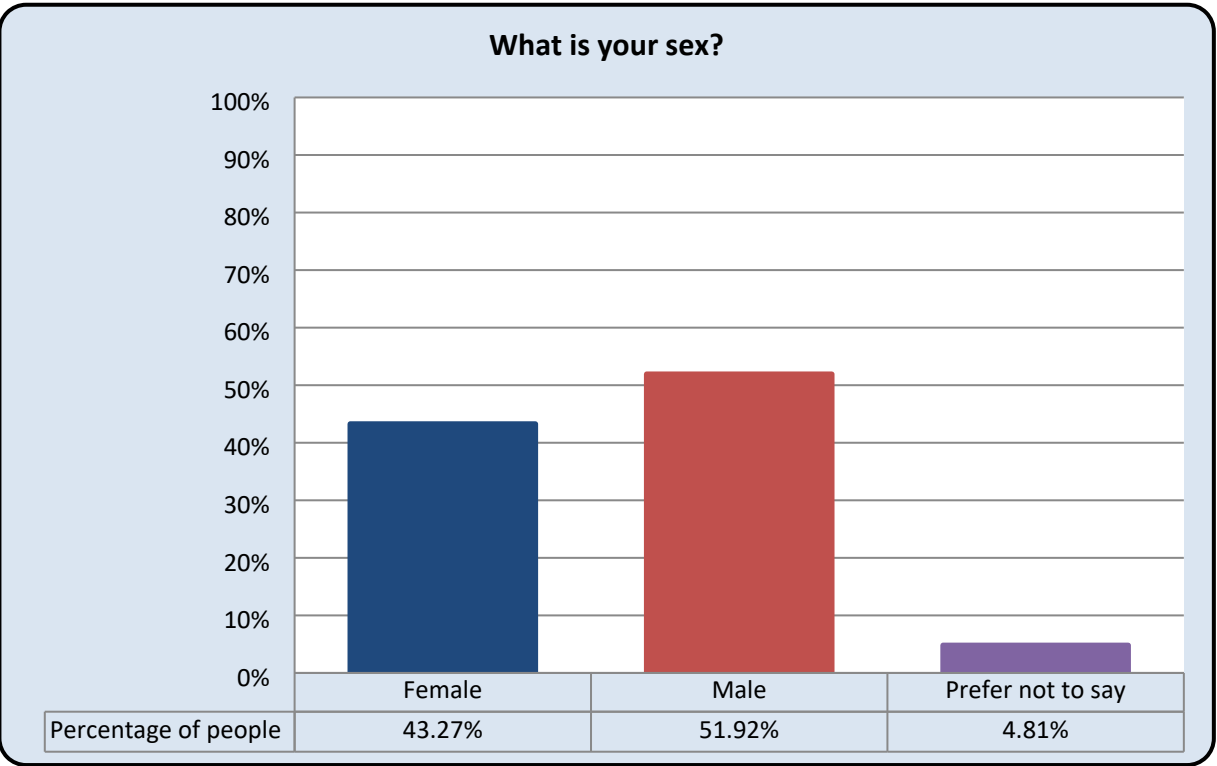
Question 18 (Equalities data) (102 responses)



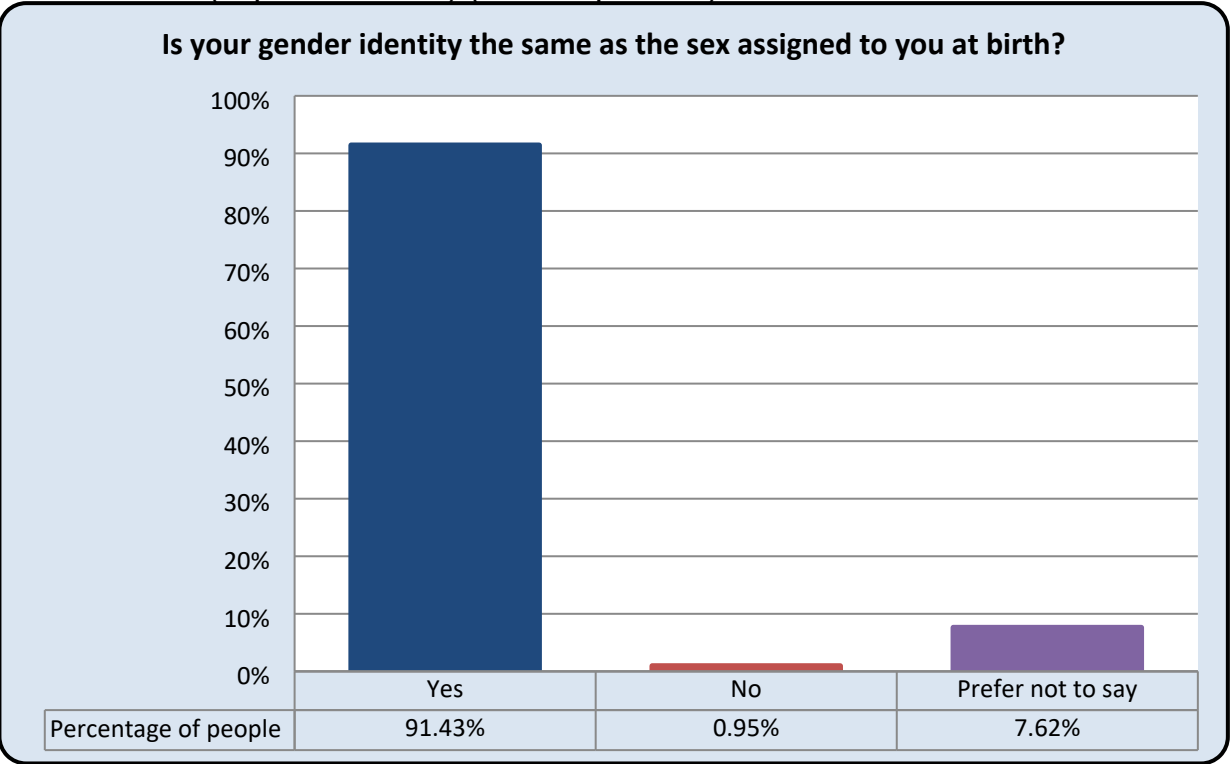
Question 19 (Equalities data) (105 responses)



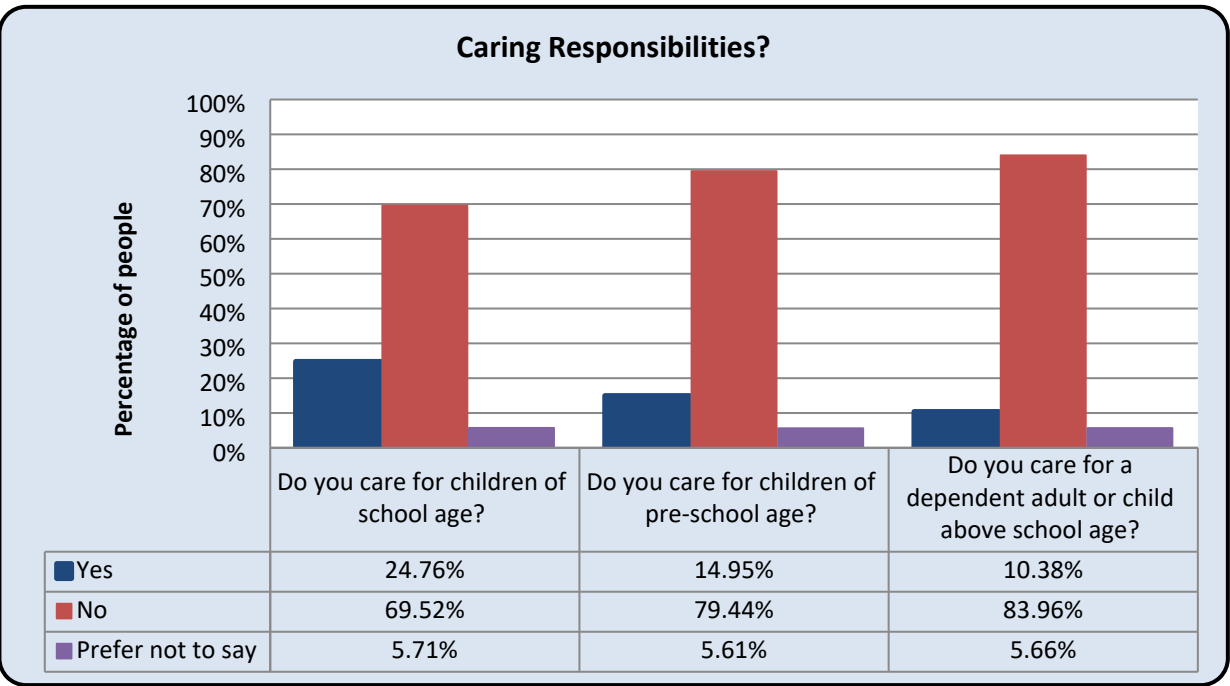
Question 20 (Equalities data) (104 responses)



Question 21 (Equalities data) (105 responses)



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



Appendix D

Comment/Text Responses

Restriction no1 Disagree comments:

No person shall refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) in their possession, which are believed to contain alcohol, when required to do so by an authorised Officer within the Restricted Area.

This will just push people underground where they can not be helped

We live in a free land, stealing property of citizens is immoral and surely overstepping your boundaries as public servants

It is not possible to determine whether a 'public nuisance or disorder' will actually take place, and therefore this would require the discretion of the official (police officer, etc.) containers of alcohol from pensioner on their way from a supermarket. As such, it would require some targeted action against particular individuals. To treat persons differently discriminatory in nature. If an offence is committed, the police should respond. If no offence is committed, leave the private individual to live their life.

The benefits of this are unclear and not supported by evidence

Most people are able to enjoy drinking alcohol without being a nuisance or disorderly?

Disagree with the unsealed part. They should be able to take unsealed home

Restriction no1 Agree/other comments:

No person shall refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) in their possession, which are believed to contain alcohol, when required to do so by an authorised Officer within the Restricted Area.

I think stronger Police presence would be better	1
Restricted area needs to be bigger .wharf road has them all day and smash their bottles	2
Need to tackle the issue of street drinkers	3
This power can be abused by power drunk council workers	4
Unsealed containers ought to be treated differently to sealed containers.	5
Individuals should be offered guidance, awareness and support to help them make any alterations in their use of alcohol in this context	6
I would say the PSPO has made a lot of difference in minimising such a behaviour.	7
It's very intimidating when drunk people accost you in the street	8
IF REFUSING TO OBEY AN ENFORCING OFFICER, AUTOMATIC FINE SHOULD BE IMPOSED.	9
However, having worked in a late night venue I can state that Gwent Police make zero attempt to confiscate alcohol from minors who are hanging around the steps by Wetherspoons. It is a joke.	10
There should be clear signage with regards alcohol and ASB.	11
There is no need for anyone to drink in the streets, outside of licenced premises. Newport has plenty of licenced venues for people who want to drink and socialize responsibly. Anyone drinking anywhere else can create a threatening or intimidating environment for other citizens.	12
This gives workers the authority to address this issue	13
If coming from a shop and travelling through a restricted area without the intent of drinking it i.e. travelling from the shop to home address with the alcohol in a carrier bag, then this shouldn't be considered a breach in my opinion. This is because they clearly don't intend to be a public nuisance or cause disorder, but are simply using the restricted area as means to travel home/their destination.	14
Police need to be tougher	15
Intoxication makes behaviour more volatile	16

Restriction no2 Disagree comments:

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.

Public servants, not gestapo	1
It is the basic right of a human to seek to sustain themselves. A person selling goods that are legal should be free to do so, without interference from the state. If the goods being sold are not legal then Trading Standards have powers to tackle the offenders.	2
The benefits of this are unclear and not supported by evidence	3
I'm have no quarrel with legitimate charities collecting anywhere, so I don't completely agree with this.	4

Restriction no2 Agree/other comments:

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.

Please ban all charity collections and energy provider stalls as well.	1
Evidence should be provided showing the negative cost to society in both quantitative and qualitative terms of activities such as charity collecting.	2
The PSPO has been successful in reducing these.	3
I'm fed up of being made to feel bad if I say no or being stopped every few steps when I'm in a hurry.	4
However, no attempt to check licences of street vendors at night time. They have to be moved along by door staff.	5
At times it seems like dodge the pedler, survey taker and charity donation sellers in Newport City Centre.	6
There is no need for anyone to trade on the street, without the appropriate licences. Anyone doing so is either incompetent (to have not sought out the appropriate permission), or is engaging in illegal behaviour.	7
This means that only legitimate can trade	8
Help stop fraud if all registered.	9
Lots of prostitution in town and pill. Wqs offered drugs when in town with my children	10
Uncontrolled harassment is threatening	11

Restriction no3 Disagree comments:

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.

As long as it is legal to sell drugs (alcohol, and nicotine) to addicted persons, how can we criminalise those whom have the misfortune to have no fixed abode? Begging in the open field of the countryside would be a nuisance to virtually nobody, but would also not help the person in need of assistance.	1
The benefits of this are unclear and not supported by evidence	2
NO BEGGING SHOULD BE ALLOWED WITHIN THE CITY BOUNDARY OF NEWPORT. THERE ARE MANY CHARITIES THAT WOULD BENIFIT FROM EXTRA DONATIONS, MORE INFORMATION ON DISPLAY ABOUT DONATING TO HOMELESS CHARITIES, COULD BE DISPLAYED IN THE CITY CENTRE AND SURROUNDING AREAS.	3
Being homeless is not a crime. Pushing homeless out of the city centre does not solve the housing crisis and is morally wrong.	4

Restriction no3 Agree/other comments

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.

Absolutely people should not worry about anyone looking over their shoulders while at the cashpoint, invasion of privacy!	1
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.	2
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.	3
Should be banned altogether.	4
Persons who are a danger to the public should be dealt with accordingly. Those with mental health issues should be supported and cared for, those who are intentionally seeking to cause, or actually causing, harm should be imprisoned and rehabilitated. Those who are poor should not be criminalised because of it.	5
Allocated areas for begging could be provided as an alternative, these should be within areas of high footfall which would normally be used by the person begging rather than low traffic areas which would therefore be unlikely to be utilised. Having clearly marked areas would allow for an appropriate use assessment to be carried out beforehand.	6
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.	7
this is the daily battle with beggin by cash point. when you get off the bus people as for spare change.	8
Order helped in stopping what could be experienced as intimidating behaviour	9
I'd like to see this extending to the below	10
Why just limited to 10 meters of a cash point. Surely it should apply within the confines of the city centre itself	11
This is a huge problem, day and night with zero enforcement. I choose to not use atms in the city centre because of it	12
Difficult one, but begging in the street is intimidating and as such is a ASB.	13
Begging needs to be tackled. For Newport to prosper, the city needs to feel safe for residents and visitors. Begging near to cash points is again a threatening behaviour which can tarnish the reputation of the city for visitors. However, the root cause needs to be tackled...why are people begging in the first place? Is it their only means of feeding themselves, or is it just an easy way to get some money from kind strangers?	14
This has happened to me and I found it to be distressing and frightening	15
Q	16
Aggressive begging is very close to mugging	17
Need more and frequent high visibility police patrols in these areas	18
Need more and frequent high visibility police patrols in these areas	19

When asked about removing the link between begging and cash-points or payment machines the following comments were made.

Begging should be completely banned in the whole area
100% yes
I agree with Q5a and Q5c!
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.

Is the intention to create clean zones, free from poverty, so that those of us with some wealth don't have to see it? If we want a better society it might be worth trying to include people, as opposed to exclude them.
The benefits of this are unclear and not supported by evidence
The Order should include a total ban on begging anywhere in the restricted area.
Yes - for the whole city centre. We urgently need this, for rough sleeping too.
this is the daily battle with beggin by cash point. when you get off the bus people as for spare change.
It should still apply
This is a difficult choice, because it would be good to remove begging in the entire area covered by the order, as is the case with with some other UK cities. However there are strong arguments against removing the caveat based on the need to respect civil liberties. Furthermore such a caveat can result in shifting begging to other areas of the city. So on balance I have chosen to disagree. But, it would be very good if the PSPO can be made to include a ban on the paraphernalia that have been seen to accompany begging, e.g. tents, rugs and makeshift covers, sleeping bags, used food containers and other litter. All these represent public health hazards. Such has attracted a lot of complaints from visitors to the city centre as well as businesses in the vicinity of where begging takes place
It's very initimidating to be approached by beggars and it creates a negative impression of the city
STOP ALL BEGGING WITHIN NEWPORT CITY LIMITS.
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.
I avoid most of the centre as I don't enjoy being swore at if I don't engage with a beggar or give them money
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.
Restricted area is vague, plus by doing this it's only shifting the problem to other urban areas which cannot be policed as well as inner city areas.
Being homeless is not a crime. Pushing homeless out of the city centre does not solve the housing crisis and is morally wrong.
Intimidating Begging is a problem in the city centre. Real action needs to be taken for rehabilitation of the offenders who are mainly drug users
I am not against begging as some don't have access to money otherwise and trying to ban it completely would take resources away from other priorities.
Begging shouldn't be allowed anywhere in the city center. Again, it's a behaviour that will tarnish the reputation of the city for visitors. However, as with Q5b, the reason for begging should be investigated. Otherwise, it's just moving the problem to other parts of the city. Or, it could force those who are genuinely in need to turn to other forms of crime to replace the income begging provided.

This has happened to me and I found it to be distressing and frightening
Persons begging in Newport city centre cause alarm for many visitors and customers and gives an impression that the city, its residents and public agencies do not provide support for persons in need. The city centre should be an attraction to local people, visitors and new businesses , begging detracts from the many advantages that Newport offers and adds to a downward spiral of retail and economic investment that leads to further incidents of drunkenness and drug use. Preventing begging in the city centre further reduces incidents of antisocial behaviour and crime. Objections to it should be met by clear information and signs advertising the services made to all persons in need and signposting to appropriate services.
Begging near a cash point can be very dangerous. Keep this restriction.
Homeless people need help. I agree they should beg near cashpoints, but to ban them from the city centre will not help them
If the rationale is to try and prevent public nuisance then yes. However, I would like to think that the begging/homeless issues could be addressed reasonably and compassionately. Just giving a fine or moving homeless along isn't dealing with the route cause. If people have to beg for money to survive, the council need to do more, or at least take reasonable steps to help homeless people get on their feet and supporting themselves through work.
If it's dangerous it should be banned in the entire area
All areas
As long as there's no aggressive behaviour used, I don't blame people generally in need asking for money. However, I do understand why begging near an ATM would be inappropriate.

Restriction no4: Disagree comments

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.

This is a matter for police only, not dutiful public servants who work for the council	1
There was a time, in recent memory, where a person's sexuality was deemed to cause 'alarm and/or distress' to others. The same can be said of one's ethnicity, etc. Is this where we are today? I believe not. A person has the right to feel offended, or distressed. That is not necessarily a bad thing. This is the purpose of peaceful protest. It may cause alarm, and distress, but that does not mean it should not take place.	2
The benefits of this are unclear and not supported by evidence. Phrases such as alarm and or distress are open to wild interpretation by individual members of the public and officers. The route cause of the actions should be explored and mitigated to reduce any negative impacts.	3
I think that may prevent peaceful protest	4

Restriction no4: Agree/other comments

Improve cctv in the area	1
A member of a fascist group may be offended by the presence of an ethnic minority. Should the person of ethnic minority be removed?	2
Measures and schemes to improve social cohesion will reduce antisocial behaviour. Particularly those which have a broad range of demographics.	3
fully supportive	4
IF REFUSING AN ORDER AN ON THE SPOT FINE AND REMOVAL FROM THE AREA.	5
I am a strong advocate of civil liberties but I will also defend my right to walk in a public place without fear or hesitation.	6
Again not enforced	7
There is no need for groups/gangs to gather in any part of the city. Newport has plenty of locations where people can gather in groups for legitimate socialising purposes. Large gatherings of people, engaging in antisocial behaviour needs to be challenged to ensure the city has a prosperous future. Individuals who are engaged in antisocial behaviour are more of a challenge, the reason behind the behaviour should be dealt with rather than moving them on to somewhere else. Do community mental health teams need extra resources to assist with individuals...is the antisocial behaviour a result of poor mental health which needs to be addressed rather than shifted to another area.	8
Harassment can be very frightening especially for the old and the vulnerable	9
Providing it is reasonable to consider the behaviour as alarming, harassing or distressing. Any one individual could be alarmed by something widely considered reasonable i.e. a mobile phone alarm or other abrupt noise.	10
It won't be policed	11

Restriction no5: Disagree comments

No person shall within the Restricted Area:

- Ingest, inhale, inject, smoke, possess or otherwise use intoxicating substances*.
- Sell or supply intoxicating substances*.

Persons who breach this restriction shall surrender any such intoxicating substance in his/her possession when asked to do so by a Police Constable.**

<u>If you disagree, why?</u>															
Can the same order apply to middle class people having a joint after dinner in Beechwood ? Or their children dropping a E, or customers of Le Pub having a line of coke? Hypocritical.															1
I am sick of smelling it when people go past me.															2
Those kids need safe.															3
Again this does not treat the issue at source. Substance abuse is already an issue in Pill that has failed to be treated and no amount of rezoning or acronyms will change that.															4

Restriction no5: Agree/other comments

No person shall within the Restricted Area:

- Ingest, inhale, inject, smoke, possess or otherwise use intoxicating substances*.
- Sell or supply intoxicating substances*.

Persons who breach this restriction shall surrender any such intoxicating substance in his/her possession when asked to do so by a Police Constable **

You can't lump all of these into one question. A blanket covering	1
Why would tobacco be excluded? Tobacco kills directly (through smoking) and indirectly (through passive smoking) a large number of people in the UK, and worldwide every year. This would be far greater than the number of persons killed by 'legal highs'. Tackling legal highs is a challenge, and one that must be addressed as soon as possible, but we must not be hypocritical in the process. Tax revenues from tobacco should not be any cause for its exemption. If that toxic (nicotine), which has no positive effects, is legal, on what basis is another outlawed? Ergo, alcohol.	2
It is unclear how, given the number of exemptions, this would be enforced in practice.	3
The prohibition on cannabis whilst alcohol is accepted is nonsensical. The consumption of cannabis should be ignored. Other drugs however should still be subject to prohibition.	4
Difference between selling/dealing illegal substances is different to consuming for self. These should be different restrictions.	5
I don't agree with the exemptions listed here. More specifically, I think smoking tobacco is just as anti-social as using illegal substances. Second hand cigarette smoke is harmful to everyone. This is a fact. Also, the smell can be sickening. I live in Newport town, and I find avoiding second-hand smoke is almost impossible most of the time. Especially because I'm pregnant currently, I'm very reluctant to walk through the city centre, which is rather inconvenient considering I live here.	6

Restriction no6: Disagree comments

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).

It is unclear what evidence there is to support the restriction to 1.5m in length of a dog lead. This should be provided to support the restriction. Also explained how in practice lead lengths are going to be measured.	1
Depends if the dog is under control or not..	2

Restriction no6: Agree/other comments

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).

Dogs should be kept on leads at all times, this, hopefully will reduce dog theft!	1
dogs should be under control where there are likely to be large numbers of people - however there is no signage up regarding this anywhere that I have seen	2
ALSO IF THE OWNERS HAVE NOT GOT ANY POO BAGS TO REMOVE DOGS MESS,ON THE SPOT FINE.	3
This would make my life much easier as I have a child PETRIFIED of dogs. Unfortunately I can't see it being enforced.	4
I believe dogs need to be kept on a lead and this will not affect responsible dog owners whose dog will already be on leads.	5
Agree with the principle of having a dog on a lead, although I'm not sure why the maximum length is determined at 1.5 meters. If there is research to back up the 1.5 meters limit then that's reasonable, otherwise it's difficult to justify such a limit as a breach. I would suggest having this rule, but ensuring public notices are in place to educate public on this rule. Had I not read this statement, I wouldn't of known a limit of 1.5 meters applied.	6
Dangerous dogs can be used like weapons	7
As a responsible dog owner I would like the Council to ensure that there is sufficient signage, both in numbers of signs and location. (as indeed warnings regarding all restrictions that apply in that particular area.	8
Is this an issue	9

Any additional controls needed?

More active litter picking and graffiti removal in the city centre.	1
Control of ebikes/scooter use on pavements	2
Ban rough sleeping in tents doorways or anywhere else.	3
An actual presence of authority figures, it's all well and good making laws, useless if not enforced	4
Smashing their bottles	5
All this should be all over Newport also. Fed up of drug dealing/use in area I live in which is Shaftesbury	6
Investment in the community. Youth clubs were significant in giving young people something to do, teaching basic life skills, and engaging them in society. Young people are the solution, our intention to criminalise them (and therefore segregate them from society) is part of the problem. A better society can be created by engaging with people, not excluding them. PSPO's disproportionately affect young people that make small mistakes. The hardened criminals do not care for the PSPO's. A person dealing Class A drugs, carrying a knife, is risking a lengthy prison term - they are not deterred by a PSPO. A new approach is required - inspire the young to prevent them slipping into petty crimes, and tackle the hardened criminals head on.	7
Active and visible enforcement of the Order during and beyond traditional 'office hours'.	8
Ban rough sleeping in the city centre. Tougher measures on littering.	9
Please see my comments under begging relating to the removal of paraphernalia that has been seen to accompany begging and as such have given rise to complaints. Such complaints included concerns about the shabby appearance of the city centre and the health risks caused by the paraphernalia and litter.	10
MORE POLICE OFFICERS ON ROVING PATROLS OR COUNCIL ENFORCEMENT OFFICERS TO PATROL THE AREA WITH MORE BACK UP FROM THE COURTS.	11
The order is only part of the solution. Enforcement is key to success and currently I don't see that happening	12
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.	13

More active patrols by Gwent Police and the Council to prevent the anti social behaviour rather than being reactive to it.	14
Use of ebikes and escooters banned and riding of bicycles controlled	15
A speed limit on mobility scooters, some are driven reckless and some people using them appear to think that they have right of way on pavements and shopping areas. safer driving should be encouraged.	16
The possession of nitrous oxide canisters to be challenged more firmly. For there to be a legal duty/responsibility for property owners to maintain the security of vacant property to remove the possibility for antisocial behaviour to take place in vacant property. For there to be a legal duty/responsibility for property owners to maintain and repair damage caused by antisocial behaviour as soon as possible after the event. Ensuring that property is maintained and to a high standard (in the city center especially) reduces the chances of a place being repeatedly targeted, with more and more damage being caused each time. Maintaining property to a high standard, and removing other causes of antisocial behaviour combined may help reduce it long term as people will take pride in there being a clean and well maintained area.	17
The wardens should be more proactive, as they seem to do very little to stop anti social behaviour.	18
Removal of push bikes riding in pedestrian zones.Remove E-Bikes	19
I live at the lower end of Caerleon Road near Tesco Express. I would like this area included please. I had an aggressive beggar threaten to trash my house because I wouldn't give him 60p!	20
I appreciate the Council may not determine the fine/outcome of the breach, but some type of community service/pay back sounds like a reasonable as a way of making up for the breach. Plus this would give back to the community.	21
Should be sent for drug counselling and there should be a needle exchange where they have a safe place to go to do their business. These places provide nurses and drug and alcohol professionals who are there. These places are proven to work. There has been a trial up in Scotland somewhere and it has helped the drug problem which then helps the community.	22
No homeless tents	23
Pill. Area by the passport office and pill is not safe. Fill.of drugs and see workers. Beggars also moved towards tesco caerleon road. Massive increase in shoplifting in the area	24
Riding of bikes/scooters and their electric versions dangerously.	25
get our city clean and decent again	26
A ban on smoking in public spaces.	27