

Scrutiny Report



Performance Scrutiny Committee - Partnerships

Part 1

Date: 4th September 2024

Subject **Public Spaces Protection Order (PSPO) – Renewal for City Centre, Pill and Maesglas**

Author Scrutiny Adviser

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

Invitee:	Area / Role / Subject
Silvia Gonzalez-Lopez	Head of Environment and Public Protection
Matthew Cridland	Public Protection Service Manager
Paul Davies	Community Protection Manager
Councillor Pat Drewett	Cabinet Member for Communities and Poverty Reduction

Section A – Committee Guidance and Recommendations

1.0 Recommendations to the Committee

The Committee is asked to:

- (i) Consider the appropriateness of the conditions of the PSPO's and alterations made.
- (ii) Decide if the Committee wishes to make any comments or recommendations in relation to the conditions of the PSPO's and alterations made.

2.0 Context

2.1 What is a Public Spaces Protection Order?

- 2.2 The Antisocial Behaviour, Crime and Policing Act 2014, commenced in October 2014, and introduced the Public Spaces Protection Order (PSPO). A PSPO is designed to prevent individuals or groups committing antisocial behaviour in a public space where the behaviour is having, or is likely to have, a detrimental effect on the quality of life of those in the locality and the behaviour is or likely to be persistent or continuing in nature

and be unreasonable. The powers to make an Order rest with local authorities, in consultation with the Police, Police and Crime Commissioner and other relevant bodies who may be impacted upon by the Order.

- 2.3 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.
- 2.4 The maximum length of a PSPO is three years, but it can be reviewed at any time.
- 2.5 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.

2.6 What kind of Restrictions can be in a PSPO?

- 2.7 A PSPO is intended to provide the Council and Police with additional powers to require individuals or groups to refrain from certain actions or to do certain things within specified times and within a clearly specified geographical location, to quote the Act “it can either be a blanket restriction or requirement or can be targeted against certain behaviours by certain groups at certain times”.
- 2.8 Orders can be enforced by a Police Officer, Police Community Support Officer, and delegated Council officers. A breach of the Order is a criminal offence and can be dealt with through the issuing of a Fixed Penalty Notice of up to £100 (to be fixed locally), or a Level 2 or 3 fine (£500 or £1,000 depending on the specific offence), on prosecution. Due to the nature of the proposed restrictions, much of the enforcement is most likely to be carried out by police officers.
- 2.9 The latest Order for the City Centre was established on 13 December 2021 and will expire on 12 December 2024. In July 2024, the Community Protection Manager carried out a review and analysis of the ASB and crime data for the ward and held discussions on the appropriateness of the 2021 prohibitions with partners. In summary, the Community Protection Manager concluded there remained overwhelming evidence that a PSPO was appropriate for the area, but there should be changes to the prohibitions themselves. Some prohibitions would be retained, and some amended (following the experience of their use and the preference to align the wording of prohibitions to other PSPOs). None of the prohibitions were felt to be redundant, so none are proposed to be removed.
- 2.10 The proposed amendments to the Public Spaces Protection Orders (PSPOs) for the City Centre, Pill, and Maesglas are aimed at addressing ongoing antisocial behaviour (ASB) and crime issues. Following thorough reviews and stakeholder consultations, certain prohibitions have been reworded for clarity and effectiveness, ensuring consistency across the three PSPOs to better meet community safety needs.
- 2.11 Currently, these amendments are undergoing public consultation to gather community feedback. The merged report is being presented to the scrutiny committee to assess the appropriateness of the proposed wording and amendments, and to ensure they effectively contribute to safer and more cohesive communities

3 Information Submitted to the Committee

3.1 The following information is attached for the Committees consideration:

Appendix 1 – Cabinet Member Report - City Centre PSPO Public Consultation

Appendix 2 – Cabinet Member Report - Pillgwenlly PSPO Public Consultation

Appendix 3 – Cabinet Member Report - Maesglas PSPO Extension Consultation Amendment

4. Suggested Areas of Focus

Role of the Committee

The role of the Committee in considering the report is to:

- (i) Consider the appropriateness of the conditions of the PSPO's and alterations made.
- (ii) Decide if the Committee wishes to make any comments or recommendations in relation to the conditions of the PSPO's and alterations made.
- Conclusions:
 - What was the overall conclusion on the information contained within the reports?
 - Is the Committee satisfied that it has had all of the relevant information to base a conclusion on the reports?
 - Do any areas require a more in-depth review by the Committee?
 - Do the Committee wish to make any Comments / Recommendations to the Cabinet?

Suggested Lines of Enquiry

4.1 The Committee might wish to think about the following when devising questioning strategies;

- What specific criteria were used to determine the appropriateness of the conditions included in the amended PSPOs?
- In what ways do the proposed conditions of the PSPOs align with best practices or guidelines established for similar orders in other jurisdictions?
- How were the views of key stakeholders, including local residents and businesses, incorporated into the decision-making process for the alterations made to the PSPOs?
- What mechanisms are in place to monitor the effectiveness of the amended conditions in reducing antisocial behaviour, and how will this data inform future adjustments to the PSPOs?

Section B – Supporting Information

5. Supporting Information

5.1 The report links with the Wellbeing-being Objectives and Aims of the Council's Corporate Plan 2022 – 2027;

Well-being Objective	1 – Economy, Education and Skills	2 – Newport's Environment and Infrastructure	3 – Preventative and Equitable Community and Social Care	4 – An Inclusive, Fair and Sustainable Council
Aims:	Newport is a thriving and growing city that offers excellent education and aspires to provide opportunities for all.	A city that seeks to protect and enhance our environment whilst reducing our carbon footprint and preparing for a sustainable and digital future.	Newport is a supportive city where communities and care are at the heart of what we do.	Newport City Council is an inclusive organisation that places social value, fairness and sustainability at its core.

6. Background Papers

- [The Essentials - Wellbeing of Future Generation Act \(Wales\)](#)
- [Corporate Plan](#)
- [Socio-economic Duty Guidance](#)
- [Public Sector Equality Duty](#)
- [Welsh Language Measure 2015](#)
- [Local Government Association PSPO Guidance to LA's \(2020\)](#)
- [Agenda and Minutes of Overview and Scrutiny Management Committee – Thursday 23rd September 2021– City Centre PSPO](#)
- [Agenda and Minutes of Overview and Scrutiny Management Committee – 19th February 2021 – Pill PSPO – 2021-2024](#)
- [Agenda and Minutes of Overview and Scrutiny Management Committee - Friday 30th April 2021 – Pill PSPO – 2021-2024 Post-Consultation](#)

Report Completed: 4th September 2024