Cyngor Tref Trallwng Welshpool Town Council

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Title	Draft Byelaws 2026 - Approval for Publication
Date	16th July 2026

OFFICERS RECOMMENDATION

1. **To approve the draft byelaws as attached with this report; and**
2. **To authorise the Town Clerk to publish Notices of Intention in accordance with the Local Government Byelaws (Wales) Act 2012 and statutory guidance.**

1. Purpose

1. To seek approval of draft byelaws relating to open spaces, markets and public toilets and to authorise the publication of Notices of Intention in accordance with the Local Government Byelaws (Wales) Act 2012.

2. Background

1. At its meeting held on 24 September 2025, Council approved the commencement of the process to make new byelaws relating to open spaces, markets and public toilets. Initial Written Statements were published and a public consultation was undertaken between 20 October 2025 and 12 January 2026 in accordance with the Local Government Byelaws (Wales) Act 2012 and associated Welsh Government Statutory Guidance.
2. Following the close of the consultation, Council considered the responses received and, at its meeting held on 25 February 2026 (Minute WTCM549), authorised the Town Clerk to prepare and publish Second Written Statements and to prepare draft byelaws taking into account the consultation feedback.
3. The Second Written Statements have now been published and draft byelaws have been prepared.

3. Open Spaces Byelaws

1. The draft Open Spaces Byelaws 2026 replace the Council's existing byelaws relating to pleasure grounds, public walks and open spaces. The proposed byelaws modernise the existing provisions, extend their application to land managed by the Council which is not currently covered, including Powis Castle Lower Park, and introduce provisions addressing modern

issues such as the release of Chinese sky lanterns and balloons, irresponsible dog control, environmental protection, vehicle use and anti-social behaviour.

4. Market Byelaws

1. The draft Market Byelaws 2026 establish a clear framework for the management and operation of the Council's indoor and outdoor markets. They provide for the allocation and use of stalls, regulate trader conduct, address vehicle access and obstruction, and establish requirements relating to cleanliness, safety and good order.

2. The proposed byelaws will supplement existing trader agreements and provide the Council with proportionate enforcement powers where necessary.

5. Public Toilet Byelaws

1. The draft Public Toilet Byelaws 2026 regulate the conduct of persons using public conveniences provided by the Council. The proposed byelaws are intended to address vandalism, graffiti, misuse and anti-social behaviour, whilst supporting the cleanliness, safety and accessibility of these facilities.

6. Next Steps

1. Should Council approve the draft byelaws, the next stage of the statutory process will be the publication of Notices of Intention to make the byelaws.

2. In accordance with the Local Government Byelaws (Wales) Act 2012, notices will be published in a local newspaper and on the Council's website. Copies of the draft byelaws will be made available for public inspection for a period of not less than six weeks.

3. Following the conclusion of that period, a further report will be presented to Council seeking formal adoption of the byelaws.

7. Offences

1. Breach of a byelaw constitutes a criminal offence. A person found guilty of an offence under the proposed byelaws may be liable on summary conviction to a fine not exceeding Level 2 on the standard scale, unless otherwise provided by legislation.

2. The Council may also, where legislation permits, issue Fixed Penalty Notices (FPNs) as an alternative to prosecution. Payment of a Fixed Penalty Notice within the prescribed period will discharge liability to conviction for the offence concerned.

3. Should the byelaws be made, a separate statutory enforcement policy will be implemented prior to their commencement to ensure that enforcement is proportionate, consistent, transparent and in accordance with the Council's adopted policies.

8. Links to Strategic Objectives and Interim Strategic Plan

1. These proposals relate to several ISP actions.

9. Resource & Legal Implications

1. The cost of publishing the Notices of Intention can be met from existing budgets. There are no other direct financial implications arising from this report.

2. The Council has followed the procedure prescribed by the Local Government Byelaws (Wales) Act 2012 and the Welsh Government Statutory Guidance relating to the making of local authority byelaws.

10. Specific Implications

1. **Crime and Disorder** - introduction of new byelaws for open spaces, markets and public toilets would support the duty by providing a clear local regulatory framework to deter and address low-level anti-social behaviour, nuisance, vandalism and disorder. In particular, public toilet byelaws would enable the Council to take direct enforcement action where criminal damage or misuse occurs, supporting prevention and early intervention where Police resources may be limited. Market byelaws would assist in preventing obstruction, unsafe practices and disorder during trading days, while open spaces byelaws would provide tools to manage behaviour that can lead to nuisance or conflict. Collectively, the proposed byelaws would support safer, better-managed public environments and contribute positively to crime and disorder reduction (Crime and Disorder Act 1998).
2. **Biodiversity** - proposed open spaces byelaws would directly support this duty by enabling the Council to regulate activities that pose environmental risks, including the release of Chinese sky lanterns and balloons, which can harm wildlife, pollute habitats and create fire risks. By extending updated byelaws to all relevant open spaces, including Powis Lower Park, the Council would strengthen its ability to protect sensitive environments, reduce litter and habitat disturbance, and promote responsible use of green spaces (Environment (Wales) Act 2016).
3. **Well-being** - the proposed byelaws would contribute to A Healthier Wales, A more Resilient Wales, A more Equal Wales and a Wales of cohesive communities (Well-being of Future Generations (Wales) Act 2015).
4. **Risk Management** - N/A

11. Recommendation

1. To approve the draft byelaws as attached with this report; and
2. To authorise the Town Clerk to publish Notices of Intention in accordance with the Local Government Byelaws (Wales) Act 2012 and statutory guidance.

12. Decision

1. To resolve to adopt the recommendations as above.