Cyngor Tref Trallwng Welshpool Town Council

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Title	Byelaws Consultation Report - FC
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OFFICERS RECOMMENDATION

1. **To note the outcome of the public consultation and the report; and**
2. **To authorise the Town Clerk to prepare and publish the Second Written Statements for open spaces, markets and public toilets; and**
3. **To ask the Town Clerk to prepare draft byelaws taking into account the consultation feedback for presentation at a future meeting.**

1. Purpose

1. To present the results of the 12-week public consultation on proposed new byelaws for open spaces, markets and public toilets, undertaken in accordance with the Local Government Byelaws (Wales) Act 2012, and to seek Council's direction on progressing to the next statutory stage.

2. Background

1. At its meeting in September 2025, Council approved the commencement of the process to make new byelaws and authorised the Town Clerk to publish Initial Written Statements and undertake a 12-week consultation in line with Welsh Government statutory guidance.
2. The public consultation ran from 20 October 2025 to 12 January 2026 and was promoted via the Council's website, press releases and social media. An online questionnaire was used to collect feedback, alongside written submissions.
3. A total of 14 responses were received. The majority of respondents identified themselves as local residents, with one response from a local business.

3. Results - Summary

1. Open Spaces Byelaws

1. Support levels showed a clear overall majority in favour, with a mix of “support” and “strongly support” responses forming the dominant view. A small number of respondents were neutral or opposed.

2. The most common supportive themes included environmental protection, preventing sky lantern releases, extending coverage to areas such as Powis Lower Park, and addressing issues relating to uncontrolled dogs.

3. The most significant concern raised related to the proposed ban on balloon releases, particularly where these are connected to memorial events. One respondent felt strongly that such activities should not be restricted in sensitive circumstances. Another respondent expressed concern about unnecessary regulation and the risk of restrictions impacting responsible users rather than those causing problems.

2. Markets Byelaws
    1. Responses indicated moderate to strong support overall, with most respondents supportive or neutral, and a small number strongly opposed.

    2. Supportive comments focused on the need for clearer rules, safer operation of markets, improved management of Broad Street during market days, and making the market space more welcoming and better organised.

    3. Opposition primarily centred on the view that the outdoor market is currently very small and does not justify further regulation, alongside concerns that enforcement powers may be disproportionate. One respondent raised wider concerns about traffic and parking enforcement in other parts of the town.

3. Public Toilets Byelaws
    1. Public toilet byelaws received the strongest level of support across all three proposals. Most respondents either supported or strongly supported the proposal.

    2. Common themes included frustration at vandalism, recognition of the financial and service impact on the Council, and support for giving the Council direct enforcement options where criminal damage occurs. Several respondents commented on the importance of toilets to the town’s visitor experience and accessibility.

    3. Opposition was limited, though one respondent questioned whether enforcement should remain solely a police responsibility.

4. Overall
    1. When asked whether introducing the new byelaws would help improve the management of Council facilities and public spaces, the majority of respondents agreed or strongly agreed. A small number disagreed or were unsure.

    2. Additional comments raised issues outside the direct scope of the byelaws, including car parking charges, dog fouling, pedestrian safety, and the wider vitality of the town centre.

4. Assessment

1. The consultation demonstrates general support in principle for the introduction of modernised byelaws, particularly in relation to public toilets and open spaces, with slightly more mixed but still broadly supportive views in relation to markets.

2. The main issues highlighted for Council’s consideration going forward are:

1. The sensitivity around balloon releases for memorial purposes, suggesting the need for careful drafting and potentially limited exemptions or discretionary enforcement.
2. Ensuring that any market byelaws are proportionate, supportive of traders, and clearly justified, given the small scale of current outdoor trading.
3. The importance of clear communication that byelaws are intended to target problem behaviour rather than restrict responsible use.

3. In line with the 2012 Act, the next formal stage is the preparation and publication of Second Written Statements, summarising consultation responses and setting out the Council's decision on whether and how to proceed, followed by drafting of the proposed byelaws.

5. Links to Strategic Objectives and Interim Strategic Plan

1. These proposals relate to several ISP actions.

6. Resource & Legal Implications

1. Resource implications at this stage are limited to officer time in preparing the Second Written Statements and draft byelaws. Any future enforcement costs will be considered once draft byelaws are brought back to Council.
2. The process continues to be governed by the Local Government Byelaws (Wales) Act 2012. The Council must demonstrate that consultation responses have been properly considered and reflected before proceeding.

7. 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

8. Recommendation

1. To note the outcome of the public consultation and the report; and
2. To authorise the Town Clerk to prepare and publish the Second Written Statements for open spaces, markets and public toilets; and

3. To ask the Town Clerk to prepare draft byelaws taking into account the consultation feedback for presentation at a future meeting.

9. Decision

1. To resolve to adopt the recommendations as above.