

Appendix 4: Enfield Council Predictive Equality Impact Assessment/Analysis for PSPOs

Department:	HHASC	Service:	Various Environment Services – Community Safety, Council Housing, Public Realm and Regulatory Services
Title of decision:	Introduction of Public Spaces Protection Orders (PSPOs)	Date completed:	24 October 2017
Author:	Sue McDaid	Contact details:	Sue McDaid; Head of Regulatory Services 020 8379 3680

1 Type of change being proposed: (please tick)

Service delivery change/ new service/cut in service		Policy change or new policy	<input checked="" type="checkbox"/>	Grants and commissioning		Budget change	
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2 Describe the change, why it is needed, what is the objective of the change and what is the possible impact of the change:

The proposal is to introduce Public Spaces Protection Orders (PSPOs) under powers contained in the Anti-Social Behaviour, Crime and Policing Act 2014 to prohibit and restrict specified anti-social behaviours in the borough. This is to address problems experienced by the public with certain anti-social behaviours reported to the Police and the Council. The list of proposed prohibitions on anti-social behaviours and proposals about where they will apply are listed as follows:

- Control of alcohol consumption
- Vehicle cruising (*to include speeding, driving in convoy, racing, performing stunts, sounding horns and revving engines as to cause a nuisance, and wheel spins*) to include cars, motorbikes and mopeds
- Holding of fireworks to cause intimidation etc. and the throwing of fireworks
- Dog controls
- Persons loitering in Council housing estates
- Intimidatory begging
- Possession, use, consumption and supply of psychoactive substances

- Persons windscreen washing/selling goods
- Prostitution
- Smoking in enclosed playgrounds
- Flying of drones
- Motor vehicles (*i.e. those deposited on Council land or land adjoining the highway for an unreasonable period of time*)
- Parking around schools
- Riding of mopeds to cause alarm, distress, annoyance or damage
- Loitering by persons causing intimidation, harassment, alarm or distress and/or drug dealing/use in Ponders End Recreation Ground and A10 Enfield Retail Park.

PSPOs are a useful tool to tackle and reduce anti-social behaviours in the local authority's area in order to allow public spaces to be enjoyed by the law-abiding majority and to make them feel safer. Individuals or groups that fail to meet the requirements of the PSPOs will be subject to criminal sanctions such as service of a fixed penalty notice (maximum £100) and prosecution (maximum fine on conviction of £1000, or £500 for consuming alcohol and failing to hand over the alcohol when requested).

Restrictions on the proposed behaviours could potentially have an impact on protected characteristics or other equalities considerations, in particular, the safeguarding of children and vulnerable adults, mental well-being, community resilience and disability. The impact on all factors has been considered.

3 Do you carry out equalities monitoring of your service? If No please state why?

There will not be any equalities monitoring undertaken in relation to enforcing the PSPOs. There is no accurate or justifiable means to collect this data when issuing Fixed Penalty Notices or undertaking prosecutions.

4. Equalities Impact

Indicate Yes, No or Not Known for each group

Disability	Gender	Age	Race	Religion & Belief	Sexual Orientation	Gender reassignment	Pregnancy & Maternity	Marriage & Civil Partnerships
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1. Does equalities monitoring of your service show people from the following groups benefit from your service? (recipients of the service, policy or budget, and the proposed change)	Yes	Yes	Yes	Yes	Not known	Not known	Not known	Yes	Yes
2. Does the service or policy contribute to eliminating discrimination, promote equality of opportunity, and foster good relations between different groups in the community?	Yes	Not known	Yes	Yes	Not known	N/A	N/A	N/A	N/A
3. Could the proposal discriminate, directly or indirectly these groups?	Yes	Yes	Yes	Yes	No	No	No	No	No
4. Could this proposal affect access to your service by different groups in the community?	No	No	No	No	No	No	No	No	No
5. Could this proposal affect access <u>to information</u> about your service by different groups in the community?	No	No	No	No	No	No	No	No	No
6. Could the proposal have an adverse impact on relations between different groups?	No	No	No	No	No	No	No	No	No

If Yes answered to questions 3-6 above – please describe the impact of the change (including any positive impact on equalities) and what the service will be doing to reduce the negative impact it will have.

Disability:

Disability can include mental health conditions. Research has shown that begging is commonly used to feed drug and alcohol misuse habits (and mental health issues may be a consequence of these addictions), and very little spent on shelter and food. Research has also found that often the persons begging are not homeless. There is no intention to target homeless persons under the intimidatory begging provision. If enforcement officers find persons begging, or street drinking, that are vulnerable or in need of support appropriate action will be taken.

The dog control provisions relating to picking up dog mess and exclusion of dogs from childrens' playgrounds and parks of parks (eg tennis courts etc) make allowance for dog owners who are registered blind or have mobility problems.

Gender:

Prohibition of prostitution could indirectly negatively impact on females as the predominant gender conducting prostitution. However,

prostitution in itself is a long established criminal offence already subject to fines and prosecution. Tackling prostitution under the Public Spaces Protection Orders provides an opportunity for intervention and safeguarding of vulnerable women who are suspected of being subject to exploitation, trafficking or modern slavery.

Age:

The prohibition of vehicle cruising could indirectly negatively impact on young males being the predominant participants. However, many of the activities involved in car cruising are criminal offences in themselves. Also, the prohibition on loitering in Council housing estates, and loitering and causing nuisance/drug dealing and use in the specified locations might negatively impact more on youths. However, the need to tackle this anti-social behaviour, respond effectively to complaints from the public and take action against illegal activities outweighs the negative impact this could have on young persons/males.

The proposed prohibition on smoking in children's playground and dog exclusion from play and sports areas would positively impact on children by offering them more health protection.

Race:

Some of the anti-social behaviours in the proposed PSPO could indirectly negatively impact on certain racial groups. Intelligence suggests that individuals and groups involved in intimidatory begging and persons selling goods or seeking to provide services (eg windscreen washing) in traffic might be predominately migrant workers from Eastern Europe. The need to tackle this anti-social behaviour, respond effectively to complaints from the public and take action against illegal activities outweighs the negative impact this could have on certain racial groups.

The proposals with regard to vehicles being left for unreasonable periods on land adjoining the highway and on council land are not aimed at travellers, but they may be captured by this proposal. If travellers were to stop on such land for some time then action may be taken under the PSPO, but also action under other legislation is also likely to be taken to seek to move them off the land. If so, part of the process involves assessing their welfare first before taking action to remove them from the land.

*If you have ticked yes to discrimination, please state how this is justifiable under legislation.

5. Tackling Socio-economic inequality Indicate Yes, No or Not Known for each group	Communities living in deprived wards/areas	People not in employment, education or training	People with low academic qualifications	People living in social housing	Lone parents	People on low incomes	People in poor health	Any other socio-economic factor Please state;
Will the proposal specifically impact on communities disadvantaged through the following socio-economic factors?	No	Yes	Not known	Yes	No	Yes	No	Yes
Does the service or policy contribute to eliminating discrimination, promote equality of opportunity, and foster good relations between different groups in the community?	Yes	Yes	Not known	Yes	Not known	Yes	Not known	Yes
Could this proposal affect access to your service by different groups in the community?	No	No	No	No	No	No	No	No
<p>If Yes answered above – please describe the impact (including any positive impact on social economic inequality) and any mitigation if applicable.</p> <p>People not in employment, People on low income and Other socio-economic factor: Some of the prohibitions in the proposed PSPO could impact on individuals who, for a whole variety of different reasons, are without employment and/or a permanent residence. These include the prohibitions intimidatory begging, prostitution and persons washing windscreens. However, enforcement under the Public Spaces Protection Orders, also provides an opportunity for intervention should persons in these socio-economic groups need support.</p> <p>People living in social housing: There are a number of anti-social behaviours in the PSPO that it is proposed to apply to council housing. Therefore, it was important to ensure that the consultation is well publicised to council tenants and leaseholders to seek their views. It is likely that the majority of the law-abiding residents in council housing would welcome the prohibitions of the anti-social behaviours being considered, as they themselves may have experienced the problems it creates.</p>								
6. Review								

How and when will you monitor and review the effects of this proposal?

The performance of the PSPOs in addressing anti-social behaviour will be monitored and measured (such as by the numbers of fixed penalty notices served, the volume of anti-social behaviours reported to the Police and Council, and through place and resident surveys). We will also monitor any Corporate or other complaints made in relation to the operation and enforcement of the PSPO, with consideration as to if there is negative impact on the protected characteristics or persons due to socio-economic factors.

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Action plan template for proposed changes to service, policy or budget

Title of decision:... Introduction of Public Spaces Protection Orders (PSPOs).....

Team:...Regulatory Services..... Department:..... **HHASC**.....

Service manager:...Sue McDaid.....

Identified Issue	Action Required	Lead Officer	Timescale/ By When	Costs	Review Date/ Comments
Safeguarding issues	Ensure enforcement officers what action/support/signposting is needed if they come across vulnerable persons	Sue McDaid	15 January 2018	Met from existing budgets	

Please insert additional rows if needed

Date to be Reviewed: ...20 January 2018.....

APPROVAL BY THE RELEVANT ASSISTANT DIRECTOR - Ray James/Gary Barnes... SIGNATURE.....to be signed.....

This form should be emailed to joanne.stacey@enfield.gov.uk and be appended to any decision report that follows.