

Public Space Protection Orders – Equalities Impact Needs Assessment

SSA EQUALITY IMPACT AND NEEDS ANALYSIS

Directorate	Chief Executive /Environment and community services
Service Area	Public Health - Community Safety
Service/policy/function being assessed	PSPO Implementation Proposal
Which borough (s) does the service/policy apply to	Wandsworth
Staff involved	Daryl Edmunds, Jo Shearer, Colin Lucas, Andrew Hagger
Date approved by Directorate Equality Group (if applicable)	N/A
Date approved by Policy and Review Manager All EINAs must be signed off by the Policy and Review Manager	7th May 2020
Date submitted to Directors' Board	

SUMMARY

Please summarise the key findings of the EINA.

This EINA aims to examine and assess any differential impacts that the introduction of a Public Spaces Protection Order (PSPO) may have on any people with protected characteristics who reside, work in or visit the area or any people with protected characteristics who may visit the area in the future.

The PSPO, if implemented will address the following issues

Alcohol related Anti-Social behaviour;

- Including using aggressive, abusive, offensive threatening and intimidating language or behaving in an aggressive or intimidating manner

Anti-social behaviour arising from the use of Novel Psychoactive Substances (NPS);

- including the impact of littering of Drug related paraphernalia such as small plastic 'deal bags' and small silver cylinders amongst other known paraphernalia.

Dog Control within all public/open spaces of the borough of Wandsworth.

The outcome sought is that the law-abiding majority can use and enjoy public spaces without fear of anti-social behaviour. Those who would be impacted the most from the PSPO would be Wandsworth residents, visitors and those working within the borough.

Impact of Proposal: Alcohol Control

This proposed PSPO does not seek to prohibit responsible drinking in public spaces, only problematic drinking causing a nuisance to others.

If implemented, the PSPO will place restrictions on behaviours within all public open spaces within the London Borough of Wandsworth as defined by the PSPO. Additionally, the PSPO would require people in the area to provide their name and address if asked by a Police officer.

The PSPO would also require people to surrender open or un-opened containers of alcohol and, where appropriate, to disperse or leave the area if asked to do so by a Police officer should they be in breach of the restricted behaviour.

The PSPO will have a positive impact for visitors, residents and those working within the borough by safeguarding and facilitating access to the rightful enjoyment of our Parks and Public Open Spaces

The PSPO will also have a positive impact for staff and volunteers working within the borough's Parks and Public/Open Spaces will be less impacted by potential harassment or threats while going about their jobs.

The PSPO is likely to have a negative impact on those who frequently congregate in groups to use alcohol within the borough's parks and public open spaces as the Order will seek to restrict the following behaviour:

- Drunken and disorderly behaviour
- Threats
- Verbal abuse
- Harassment and intimidation

However, as anti-social behaviour has a disproportionate effect on the most vulnerable in our communities it is also likely that those vulnerable groups who habitually congregate to use alcohol will also benefit from the protections offered by the PSPO.

Impact of Proposal: Novel Psychoactive Substances (NPS)

The PSPO is likely to have a negative impact on the those seeking to use Novel Psychoactive Substances (NPS) within our Parks and Open Spaces, typically males under the age of 30 using 'legal highs' such as NO2 cannisters.

While there is low engagement with services around the use of other 'legal highs' or 'lifestyle drugs' engagement with NO2 cannister users is either low or non-existent.

The restrictions offered by the PSPO therefore offers the opportunity of signposting to services via enforcement and publicity.

Impact of Proposal: Dog Control

The PSPO seeks to renew the existing powers in place (due to expire in October 2020, which has strong public support.

The PSPS will have a positive impact on visitors, residents and those working within the borough, whether using public highways or accessing the Borough's parks and open spaces.

1. Background

Briefly describe the service/policy or function:

The Council is proposing to extend the protections offered by two existing Alcohol Control PSPOs and a Dog Control PSPO with a single borough wide PSPO, which would address the following reported detrimental behaviours:

- those drinking irresponsibly and acting in an antisocial manner;
- those using Novel Psychoactive Substances (NPS)
- those failing to exercise control of their dogs with the Parks and Public/Open Spaces of the Borough

The full report will take into account the following:

- The legislation and requirements to introduce a PSPO;
- The evidence base that has been gathered and presented to the Council;
- The evidence provided within this proposal and the outcomes of consultation

The Council has previously introduced PSPOs within specific areas to address alcohol related Anti-social Behaviour following full options appraisals in each case and based on impact and witness statements being gathered by Wandsworth Police and Wandsworth Parks Police between 2003-2018

In seeking to provide a unified order in line with this already tested legal route the council has drawn upon existing models of best practice in other areas. A full options appraisal is therefore not relevant to the scope of this proposal which simply seeks to extend the model of enforcement already in place.

Anti-Social Behaviour legislation allows the Council to implement a Public Space Protection Order to tackle the anti-social behaviour in specific areas that may be having a detrimental effect on the community.

Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 allows the Council to create a PSPO and establish a zone within which prohibitions or requirements can be imposed to control certain behaviours.

- A PSPO establishes a defined geographical area within which certain powers can be conferred and exercised to deal with behaviours which impact upon the quality of life of those who live, work or visit there.

The Council believes that implementing a PSPO is the most appropriate power that could be used alongside other actions to address the wide-ranging issues that had been reported by residents, staff and visitors

The purpose of the PSPO would be to:
Provide relief to residents, visitors residents and those working within the borough whose quality of life has been severely impacted upon.

Provide a unified model of enforcement for front line services such as Police who respond to complaints and incidents involving ASB issues

To respond to repeated complaints made by the local community, about the detrimental effect the “event “has on the quality of life of residents.

2. Analysis of need and impact

Protected group	Findings
Age	<p>Over 40 containers of alcohol were confiscated and disposed of within the existing PSPO areas of Tooting Town Centre and Battersea High Street, and while no data was available feedback from police teams suggest that the majority of confiscations were related to white males between the ages of 30 and 50.</p> <p>Two arrests were also carried out in response to breaches of order on a white male 48 years of age and one white female 43 years of age</p> <p>There is consistent anecdotal evidence (via ASB reports and resident feedback) to suggest that NPS of this form are more likely to be used by young males. This is supported by ONS data which suggests that most legal high deaths happen in people aged 20 to 29.</p> <p>Data based on the full year prosecutions for Dog Control offences for 2018/19 (6 prosecutions) is shown below:</p> <ul style="list-style-type: none"> • 25 – 54 years = 5 • 55 - 64 years = 1 <p><i>Information based on MPS and Parks police enforcement – detailed data is not collected</i></p>
Disability	Data not collected
Gender (sex)	<p>Over 40 containers of alcohol were confiscated and disposed of within the existing PSPO areas of Tooting Town Centre and Battersea High Street, and while no data was available feedback from police teams suggest that the majority of confiscations were related to white males between the ages of 30 and 50.</p> <p>There is consistent anecdotal evidence (via ASB reports and resident feedback) to suggest that NPS of this form are more likely to be used by young males. Nationally five out of six legal high deaths are among men (ONS data)</p>

	<p>Data based on the full year prosecutions for Dog Control offences for 2018/19 (6 prosecutions) is shown below:</p> <ul style="list-style-type: none"> • Male = 1 • Female = 5 <p><i>Information based on MPS and Parks police enforcement – detailed data is not collected</i></p>
Gender reassignment	Data not collected
Marriage and civil partnership	Data not collected
Pregnancy and maternity	Data not collected
Race/ethnicity	<p>Over 40 containers of alcohol were confiscated and disposed of within the existing PSPO areas of Tooting Town Centre and Battersea High Street, and while no data was available feedback from police teams suggest that the majority of confiscations were related to white males between the ages of 30 and 50. Two arrests were also carried out in response to breaches of order on a white male 48 years of age and one white female 43 years of age.</p> <p>Data based on the full year prosecutions for Dog Control offences for 2018/19 (6 prosecutions) is shown below:</p> <ul style="list-style-type: none"> • White British or other = 6 <p><i>Information based on MPS and Parks police enforcement – detailed data is not collected</i></p>
Religion and belief, including non belief	Data not collected
Sexual orientation	Data not collected
Across groups i.e older LGBT service users or bme young men	Data not collected

Data gaps.

Data gap(s)	How will this be addressed?
Detailed data analysis in the basis of Alcohol Control or NPS has not been possible due to the limited nature of recording available.	<p>Further data is being collected in the form of environmental visual audits and direct engagement with the community.</p> <p>In addition, the introduction of a unified recording and administration process for breaches of the PSPO will be introduced</p>

	enabling Parks and local Policing teams provide comparable data.
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3. Impact

Alcohol Control		
Protected group	Positive	Negative
Age	Potential positive impact arising from a reduction in ASB and problematic alcohol use in parks and open spaces.	<p>Enforcement is likely to impact on problematic drinkers between 30-50 years and would suggest that there is no disproportionate impact (under the proposals covered by this EINA) for residents outside this age range.</p> <p>As the proposal is to extend the way in which the byelaws are enforced, it is important that these changes are clearly communicated to residents and park users. This will be ensured by:</p> <ul style="list-style-type: none"> • Face to face communication by Parks & Events Police Officers and other Staff with park and open space users. • Leaflets carried by Officers that explain the purpose and conditions of the PSPO and the potential consequences of breaching them. • Communication with the relevant Friends Groups and Management Advisory Committees that have been formed as consultative groups for these parks and open spaces. • Through relevant web page information. <p>Outreach teams will also be involved to support the officers and provide follow up engagement for and vulnerable alcohol users who traditionally seek the company of peers to engage in problematic drinking.</p>
Disability	No impact identified	No impact identified

Gender (sex)	Potential positive impact arising from a reduction in ASB and problematic alcohol use in parks and open spaces.	Feedback from Police Teams suggests that males are most likely to be impacted by the introduction of a borough wide PSPO
Gender Reassignment	No Impact Identified	No Impact Identified
Marriage and civil partnership	No Impact Identified	No Impact Identified
Pregnancy and maternity	No Impact Identified	No Impact Identified
Race/ethnicity	Potential positive impact arising from a reduction in ASB and problematic alcohol use in parks and open spaces.	Feedback from residents and Police Teams suggests that white residents are most likely to be impacted by the introduction of a borough wide PSPO
Religion and belief, including non-belief	No Impact Identified	No Impact Identified
Sexual orientation	No Impact Identified	No Impact Identified

Novel Psychoactive Substances		
Protected group	Positive	Negative
Age	The proposal to introduce a PSPO to deal with NPS use in Parks and Public Spaces seeks to create safer spaces for all ages while providing opportunities for engagement with treatment and support services.	<p>Resident reporting and national ONS data suggests that the majority of NPS users are young, so enforcement action will likely more negatively impact on this group.</p> <p>As this proposal will introduce new powers to disrupt and deter the use of NPS across the borough it is important that these changes are clearly communicated to residents and park users. This will be ensured by:</p> <ul style="list-style-type: none"> • Face to face communication with park and open space users by Parks & Events Police Officers and other Staff. • Leaflets carried by Officers that explain the purpose and conditions of the PSPO and the potential consequences of breaching them.

		<ul style="list-style-type: none"> • Communication with the relevant Friends Groups and Management Advisory Committees that have been formed as consultative groups for these parks and open spaces. • Through relevant web page information. <p>Follow up engagement with Outreach and Drug treatment providers will also be explored to ensure those vulnerable to such high risk behaviours are made aware of the support on offer.</p>
Disability	No impact identified	No impact identified
Gender (sex)	No impact identified	Resident reporting suggests that the majority of NPS users are male, so enforcement action will likely more negatively impact on this group.
Gender reassignment	No data available	No impact identified
Marriage and civil partnership	No data available	No impact identified
Pregnancy and maternity	No data available	No impact identified
Race/ethnicity	No impact identified	No impact identified
Religion and belief, including non belief	No impact identified	No impact identified
Sexual orientation	No impact identified	No impact identified. While there is limited evidence for use of 'Lifestyle' drugs from treatment data (only 1 new registration in 2019), there is no evidence to suggest a negative impact on the basis of sexual orientation.

Dog Control		
Protected group	Positive	Negative
Age	Continued enforcement is likely to have a positive impact on residents and visitors of all ages.	Based on information on previous enforcement, DCO enforcement will impact on the 25 – 54 years age group. It is important that these conditions continue to be communicated to

		<p>residents and park users. This will be ensured by:</p> <ul style="list-style-type: none"> • Face to face communication with park and open space users by Parks & Events Police Officers and other Staff. • Leaflets carried by Officers that explain the purpose and conditions of the PSPO and the potential consequences of breaching them. • Communication with the relevant Friends Groups and Management Advisory Committees that have been formed as consultative groups for these parks and open spaces. • Through relevant web page information.
Disability	No impact identified	No impact identified
Gender (sex)	No impact identified	Based on information on previous enforcement, DCO enforcement will impact disproportionately on females.
Gender reassignment	No impact identified	No impact identified
Marriage and civil partnership	No impact identified	No impact identified
Pregnancy and maternity	No impact identified	No impact identified
Race/ethnicity	No impact identified	Based on information on previous enforcement, DCO enforcement will impact disproportionately on white british groups.
Religion and belief, including non-belief	No impact identified	No impact identified
Sexual orientation	No impact identified	No impact identified

4. Actions

Action	Lead Officer	Deadline
The EINA will be circulated as part of the consultation on the proposals and updated to reflect any additional findings	Colin Lucas	February 2020

5. Consultation. (optional section– as appropriate)

The proposals will be consulted upon between May and June 2020. Any equality considerations raised will be added to this EINA and mitigating actions considered.