

SSA EQUALITY IMPACT AND NEEDS ANALYSIS

Directorate	Environment & Community Services
Service Area	Parks
Service/policy/function being assessed	Park & Open Space Byelaws
Which borough (s) does the service/policy apply to	Wandsworth
Staff involved	Clare O'Connor, Joanne Shearer & Steve Biggs
Date approved by Policy and Review Manager	30.01.17

SUMMARY

Please summarise the key findings of the EINA.

The enforcement of the Greater London Council (GLC) Byelaws already takes place and ensures that the parks and open spaces to which they apply across the borough, remain safe places for all residents and visitors. The use of FPNs is merely an alternative means through which enforcement can take place.

An analysis of the data based on the full year prosecutions for GLC offences for 2015/16 (130 prosecutions) shows that the group most likely to offend and be prosecuted for byelaw offences are white (90.59%) males (81.17%) between the ages of 25-54 (79.49%). This means that any changes are likely to impact most on this group. This EINA will now be consulted on as part of a wider consultation exercise and will be updated to reflect any feedback received.

1. Background

Briefly describe the service/policy or function:

The Council is proposing to introduce Fixed Penalty Notices (FPNs) for the enforcement of GLC Byelaws. These byelaws relate to the proper conduct of users of the largest and most heavily used of Wandsworth's parks and open spaces and aim to deal with unacceptable behavior, which is not addressed through other existing legislation, such as that which may cause distress or injury to other users, or that might damage these spaces and detract from their general enjoyment by the public.

GLC Byelaw offenders are currently prosecuted through the Magistrates' Court, which can potentially lead to a criminal record. The areas that are covered by these byelaws are as

follows:

- Battersea Park, SW11 (Queenstown).
- Garratt Green, SW17 (Earlsfield).
- Tooting Common, SW17 (Bedford and Furzedown).
- Wandsworth Common, SW18 (Wandsworth Common) and SW11 (Northcote).
- Wandsworth Park, SW15 (Thamesfield).

2. Analysis of need and impact

Protected group	Findings												
Age	<p>Data based on the full year prosecutions for GLC offences for 2015/16 (130 prosecutions) as broken down below:</p> <table border="1"> <thead> <tr> <th>Age</th> <th></th> </tr> </thead> <tbody> <tr> <td>18 - 25</td> <td>6 – 7.69%</td> </tr> <tr> <td>25 - 54</td> <td>62 – 79.49%</td> </tr> <tr> <td>55 - 64</td> <td>8 – 10.26%</td> </tr> <tr> <td>65 - 74</td> <td>2 – 2.56%</td> </tr> <tr> <td>75 and over</td> <td>0 – 0%</td> </tr> </tbody> </table> <p>The majority of prosecutions are for residents aged 25-54 (79%) with 10% for residents aged 55-64. The 2011 census showed that 71% of residents are aged 20-64.</p> <p>No-one under 18 is prosecuted and the percentage prosecuted aged 65-74 (2.56%) is below the borough average. This shows that the current approach does not disproportionately impact on younger residents or older park visitors.</p>	Age		18 - 25	6 – 7.69%	25 - 54	62 – 79.49%	55 - 64	8 – 10.26%	65 - 74	2 – 2.56%	75 and over	0 – 0%
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75 and over	0 – 0%												
Disability	Data not collected												
Gender (sex)	<p>Male 69 – 81.17%</p> <p>Female 16 – 18.83%</p> <p>The majority of individuals prosecuted are male.</p>												
Gender reassignment	Data not collected												
Marriage and civil partnership	Data not collected												
Pregnancy and maternity	Data not collected												
Race/ethnicity	<p>Analysis shows that the majority of prosecutions are of white residents. This is above the borough average according to the 2011 Census.</p> <table border="1"> <thead> <tr> <th>Race/ethnicity</th> <th></th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Race/ethnicity											
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	White	77 – 90.59%
	Black	6 – 7.06%
	Asian	2 – 2.35%
Religion and belief, including non belief	Data not collected	
Sexual orientation	Data not collected	

Data gaps.

Data gap(s)	How will this be addressed?

3. Impact

Protected group	Positive	Negative
Age	<p>The enforcement of these byelaws already takes place and ensures that the parks and open spaces to which they apply across the borough, remain safe places for all residents and visitors. The use of FPNs is merely an alternative means through which enforcement can take place.</p> <p>Analysis by age shows that the current approach does not disproportionately impact on younger residents or older residents. This is likely to be the case under the proposals covered by this EINA.</p>	<p>As the proposal is to alter 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> <p>Face to face communication by Parks & Events Police Officers with park and open space users.</p> <p>Leaflets carried by Officers that explain the purpose of byelaws and the potential consequences of breaching them.</p> <p>Communication with the relevant Friends Groups and Management Advisory Committees that have been formed as consultative groups for these parks and open spaces.</p> <p>Through relevant web page information.</p>
Disability	As age	As age
Gender (sex)	Analysis shows that currently the majority of prosecutions are male. This is likely to be the case under the proposals covered by this EINA.	As age

Gender reassignment	As age	As age
Marriage and civil partnership	As age	As age
Pregnancy and maternity	As age	As age
Race/ethnicity	Analysis shows that the majority of prosecutions are of white residents. This is above the borough average according to the 2011 Census. This will be kept under review to ensure if the proposals are adopted to ensure BAME residents are not adversely impacted by the proposals.	As age
Religion and belief, including non belief	As age	As age
Sexual orientation	As age	As age

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	Joanne Shearer	June 2017

5. Consultation.

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