

Battersea PSPO Eina Appendix 6

SSA EQUALITY IMPACT AND NEEDS ANALYSIS

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| Directorate | Public health |
| Service Area | Community Safety |
| Service/policy/function being assessed | PSPO |
| Which borough(s) does the service/policy apply to | Wandsworth Battersea |
| Staff involved | Angela Grzywacz, Robyn Thomas |
| Date approved by Policy and Review Manager | 16.05.18 |

SUMMARY**Please summarise the key findings of the EINA.**

A cohort of individuals have engaged in street drinking and related anti-social behaviour over a prolonged period and despite enforcement activity and varied interventions this behaviour continues. This has resulted in considerable local public disquiet and complaint. As such a PSPO is proposed to address this issue and work along side other services who seek to engage this cohort to address their addiction and to provide appropriate support and help.

- If approved it is suggested that the PSPO be implemented , and will be reviewed regularly to assess its impact.
- The Council has received complaints from the St Mary's and Latchmere Safer Neighbourhood Ward Panel as well as from the local community who have called for a new bye-law to be put in place to control the street drinkers and their behavior. It is felt that a PSPO is the most appropriate piece of legislation and is supported by the Police. .
- A consultation excersise was carried out over a three month period and the results came back as being supportive of the Order.
- **The purpose of the order would be to:**
 - Provide relief to local residents and businesses whow quality of life has been severely impacted upon
 - Respond to the burdon placed on 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 effct the "event " has on the quality of life of residents.
 - Section 59 of the Anti Socia Behavoieur, 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 contro certain behavioiurs. This can be pursued provided certain conditions are met.

The first condition is

- Activities carried out in a public place within the local authoritys area have had a detrimental effect on the quality of life of those in the locality or:

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- It is likely that activities will be carried on in a public place within that area and they will have such an effect.

The second condition is that in the effect or likely effect of the activities

- It is or is likely to be of a persistent or continuing nature
- Is or is likely to be, such as to make the activities unreasonable and
- Justifies the restrictions imposed by the notice.
- The PSPO for Battersea High street has been designed based on the basis of concerns that have been communicated to us by residents and by the Police. .
- The order will address issues of alcohol consumption in a public place, using aggressive, abusive, offensive threatening or intimidating language or behaving in an aggressive or intimidating manner. Urination and litter control.
- A public consultation on the proposals received 46 responses, 95% in favour of the PSPO.

This EINA found that the PSPO will impact on men of Eastern European background. To mitigate the impact the Council will work with drug and alcohol agencies to engage these men in treatment and to access support. The PSPO was supported by residents via a consultation

1. Background

Briefly describe the service/policy or function:

The Community Safety service in partnership

The Council have introduced Public Spaces Protection Orders (PSPO) to help the police and Council tackle anti-social behaviour on public land. A PSPO is a new measure, created by the Anti-Social Behaviour, Crime and Policing Act 2014, that replaces some existing legislation that the Council uses and introduces wider discretionary powers to deal with any particular nuisance or problem that is detrimental to the local community's quality of life. They seek to ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. The Orders can be enforced by fixed penalty notices or prosecution, by police or Council officers.

The proposal to introduce Public Spaces Protection Orders arises from twin needs:

- (a) From October 2017, new legislation means PSPOs will automatically replace the Council's existing DPPO's Designated Public Place Orders give police officers discretionary powers to require a person to stop drinking or confiscate alcohol.
- (b) The Council's Parks and Commons byelaws are based on an old model and do not cover how these spaces are used in the 21st century. Currently, byelaw offences must be prosecuted through the courts but in practice this is very rarely used and thus is a weak deterrent to anti-social behaviour. The introduction of PSPOs permits the updating of the rules which govern public places and the use of Fixed Penalty Notices.

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2. Analysis of need and impact

| Protected group | Findings | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Age | <table border="1"> <thead> <tr> <th>Age group</th> <th>ONS (2015)</th> <th>Census (2011)</th> <th>PSPO consult (2017)</th> </tr> </thead> <tbody> <tr> <td>75+</td> <td>6.7%</td> <td>3.1%</td> <td>2.00%</td> </tr> <tr> <td>65-74</td> <td>8.2%</td> <td>5.7%</td> <td>4.1%</td> </tr> <tr> <td>55-64</td> <td>10.5%</td> <td>18.9%</td> <td>2.0%</td> </tr> <tr> <td>45-54</td> <td>15%</td> <td>14.1%</td> <td>14.3%</td> </tr> <tr> <td>35-44</td> <td>17.7%</td> <td>17.8%</td> <td>44.9%</td> </tr> <tr> <td>25-34</td> <td>13.1%</td> <td>15.3%</td> <td>20.4%</td> </tr> <tr> <td>15-24*</td> <td>9.1%</td> <td>9.8%</td> <td>2.1%</td> </tr> <tr> <td>under 14*</td> <td>19.6%</td> <td>18.6%</td> <td>0.00%</td> </tr> </tbody> </table> <p>* Different age categorisation under ages of 18 between surveys shown in brackets</p> <p>From the Police reports and complaints received from residents and busienseses we know that the majority of those causing ASB through street drinking are aged 40-50</p> | Age group | ONS (2015) | Census (2011) | PSPO consult (2017) | 75+ | 6.7% | 3.1% | 2.00% | 65-74 | 8.2% | 5.7% | 4.1% | 55-64 | 10.5% | 18.9% | 2.0% | 45-54 | 15% | 14.1% | 14.3% | 35-44 | 17.7% | 17.8% | 44.9% | 25-34 | 13.1% | 15.3% | 20.4% | 15-24* | 9.1% | 9.8% | 2.1% | under 14* | 19.6% | 18.6% | 0.00% |
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| under 14* | 19.6% | 18.6% | 0.00% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Disability | <p>There were no responders to the survey who considered themselves disabled. The number of those who identified themselves as having a disability were 2.5% in the St marys park ward and 2.5% in the Latchmere Ward. None of the street drinkers we are aware of has any mental health or disability issues.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gender (sex) | <p>Those responding to the survey in terms of gender split were 20 male (40.8% and 27 female (55.1%) with 2 (4.1% who preferred not to say. In the free text boxes there were comments from females both young and older females who</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | <p>state they feel intimidated didn't like the inappropriate and lewd comments are shouted at them.</p> <p>From the Police reports and complaints received from residents and busienseses we know that the majority of those causing ASB through street drinking are male</p> |
| Gender reassignment | The 2011 census did not collect this data. The consultation contained options for free text comments. No feedback was received which indicated that the proposals would impact more on transgender residents. |
| Marriage and civil partnership | No feedback was received which indicated that the proposals would impact more on residents who are married or in a civil partnership. |
| Pregnancy and maternity | The consultation contained options for free text comments. No feedback was received which indicated that the proposals would impact more on pregnant residents or those on maternity leave. |
| Race/ethnicity | <p>The respondents to the survey were as follows;</p> <p>40 white (81.6%)</p> <p>3 Asian (6.1%)</p> <p>1 mixed ethnic group (2%).</p> <p>We know that those who are causing the problem are of Eastern Eurpoean origin (unidentified) We are aware that a small number of drinkers are of Sri lankan origin.</p> |
| Religion and belief, including non belief | 55% of residents in the St Marys Park ward, 54.2% in Latchmere identified themselves as Christian- with 26% (23%) stating they have no religion. No user feedback has identified an impact based on religion or faith |
| Sexual orientation | The consultation contained options for free text comments. There were no comments that related to any perceived or actual impact regarding sexual orientation . |
| Across groups i.e older LGBT service users or bme young men | There is no service data to determine any findings across groups. No user feedback has identified an impact. |

Data gaps.

| Data gap(s) | How will this be addressed? |
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| <p>There are gaps in data around eastern European groups</p> | <p>We will seek to engage with services that aim to assist and support the specific groups within the community</p> |
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3. Impact

| Protected group | Positive | Negative |
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| <p>Age</p> | <p>Residents and businesses have asked for the Council to take action against the anti- social behaviour associated with the street drinking of this group of males. Taking the action would be a positive response to address the issues.</p> | <p>The PSPO will cover an area used by 20 approx street drinker AGED 40 -50 These groups will therefore be impacted more by this order than other ethnic groups.</p> <p>The PSPO is being introduced following resident feedback. It has been subject to discussions at partnership meetings and no equality concerns have been raised.</p> <p><u>Mitigating actions.</u></p> <p>In exercising powers the Police would take into account appropriate safeguards to ensure anyone with a protected characteristic is not the subject of any discrimination.</p> <p>Other actions will be attempted in order to support the street drinkers identified including using outreach services to speak to those who are drinking and offer support.</p> <p>We would seek to engage support agencies to assist in language barriers as well as any mental health or alcoholism issues. This will form part of the review process.</p> |
| <p>Disability</p> | <p>Reducing anti-social and irresponsible behaviour and fear for personal safety may encourage people with a disability to make greater use of public places.</p> | <p>The proposal if implemented could have a negative impact on some disabled people, for example those with learning difficulties or sensory impairments, who may not understand what the PSPO covers and they therefore may be more likely to have enforcement action taken against them.</p> <p>In order to mitigate the potential negative impacts identified above the</p> |

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| | | <p>following mitigating actions have been identified:</p> <ul style="list-style-type: none"> • Officers will use their discretion over the circumstances involved in any incident, especially in the initial period of implementation, making reasonable adjustments for disabled or mentally impaired person, we are not currently aware of any drinkers who have disabilities or mental health issues . • A discussive, educational approach will always be taken first and a warning given before any enforcement action. • There will be publicity about the launch of PSPOs and both temporary and permanent signage used to explain the changes. |
| Gender (sex) | Reducing anti-social and irresponsible behaviour and fear for personal safety may encourage women to make greater use of parks and public places. | The majority of this group causing the ASB are males and this group may be disproportionately impacted. To mitigate the impact the Council will work with drug and alcohol support agencies to offer any assistance they may be able to give to assist the cohort. Drug and alcohol services will be part of the review process of this PSPO to ensure that those who are moved have been offered intervention and support. |
| Gender reassignment | The impact of the proposal is neutral on the issue of gender reassignment. | The proposal is unlikely to have a negative impact on transgender people and no specific issues were raised during the consultation. |
| Marriage and civil partnership | The impact of the proposal is neutral on the issue of marriage and civil partnerships. | The impact of the proposal is neutral on the issue of marriage and civil partnerships. |
| Pregnancy and maternity | The impact of the proposal is neutral on the issue of pregnancy and maternity. | The impact of the proposal is neutral on the issue of pregnancy and maternity. |
| Race/ethnicity | Reducing anti-social and irresponsible behaviour and fear for personal safety, and the indirect effects of an increased presence in parks to implement the PSPO, may encourage people from BME | The PSPO will cover an area used by 20 approx street drinkers, of British, Eastern European and Sri Lankan descent. These groups will therefore be impacted more by this order than other ethnic groups. We will be contacting |

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| | communitiesto make greater use of parks and public places. | <p>agencies who represent the Sri lankan community in order to address the needs of this particular group.</p> <p>The proposal if implemented could have a negative impact for those with limited English who may not understand what is required when visiting a public place; they may be more likely to have enforcement action taken against them.</p> <p>Agencies representing the ethnicity and language spoken by the street drinkers will be informed and asked to provide services to help those with habitual problems to seek help and support.</p> <ul style="list-style-type: none"> • There will be publicity about the launch of PSPOs and both temporary and permanent signage used to explain the changes, using symbols where possible. |
| Religion and belief, including non belief | The impact of the proposal is neutral on the issue of religion or belief. | The impact of the proposal is neutral on the issue of religion or belief. |
| Sexual orientation | The impact of the proposal is neutral on the issue of sexual orientation. | The impact of the proposal is neutral on the issue of sexual orientation. |

4. Actions

| Action | Lead Officer | Deadline |
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| Discuss the PSPo with the substance misuse steering group to seek advice and any possible support for those who may be affected. | Angela Grzywacz | June 2018 |
| Discuss enforcement approach, tolerance levels and use of discretion with authorised officers and police. | Angela Grzywacz | June 2018 |
| Undertake publicity and install signage to make residents fully aware of the changes. | Angela Grzywacz | June 2018 |
| Carry out equalities monitoring of people who receive education / enforcement related to PSPOs during the first year of implementation, to identify if in practice a particular equality community is being disproportionately affected. | Angela Grzywacz | July 2018 |

5. Consultation. (optional section– as appropriate)

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A public consultation on the proposal to implement a PSPO was undertaken over two stages. this was undertaken via an online survey asking for agreement, agreement with changes, disagreement or no opinion on each individual proposal as well as over 1200 letters send out to busienseses and residents in the imidiate area affected