

Appendix 5

SSA EQUALITY IMPACT AND NEEDS ANALYSIS

Directorate	Public health
Service Area	Community Safety
Service/policy/function being assessed	PSPO Patmore Estate and Carey Gardens
Which borough(s) does the service/policy apply to	Wandsworth
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.

- The Community Safety Service would like to implement a Public Spaces Protection Orders (PSPO) to help the police and Council tackle the specific crime and anti-social behaviour associated with the annual Pricy memorial event , that occurs usually on the first weekend July.
- The event has been running for four years now and the Council have received complaints from the Queenstown ward panel members, and also the Patmore Cooperative who manage the housing stock in the specific area.
- The Council was asked by the community to implement a Bye law to protect residents from the annual disruption and ASB that is associated with this event and the Police and Community Safety service have been working together to find an appropriate solution. The legislation allows Councils to implement a Public Space protection Order to tackle anti social behaviour in specific areas that may be having a detrimental effect on the community. A PSPO established 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. It was felt that a PSPO was the most appropriate power that the Partnership could use along side other actions that addressed the wide ranging issues that had been reported by residents.
- The purpose of the PSPO would be to:
- Provide relief to local residents and businesses whose quality of life has been severely impacted upon
- Respond to the burden 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 effect the “event “ has on the quality of life of residents.
- 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. This can be pursued provided certain conditions are met.

The first condition is

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- Activities carried out in a public place within the local authority's area have had a detrimental effect on the quality of life of those in the locality or:
- 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 Patmore has been designed based on the 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.
- The outcome sought is that the law-abiding majority can use and enjoy public spaces without fear of anti-social behaviour. This is likely to have a greater positive impact on disabled people, ethnic groups, women, young people and older people.
- The EINA has identified that the PSPO is likely to impact more on young people, men and BME residents. Mitigating actions have been identified and the PSPO will be monitored after 1 year
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1. Background

Briefly describe the service/policy or function:

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

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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.

2. **Analysis of need and impact: Consultation was carried out as part of the legislative process. The consultation focused on the immediate area that is affected by the anti social behaviour and therefore any potential order we may implement.**
3. **The consultation process was run over 4 weeks and included letters and surveys sent out to 1100 residents on the Patmore and Carey Gardens estate, a public meeting on the estate and an online survey on the council web site.**
4. **There were 46 responses to the consultation.**

Protected group	Findings			
Age	Using the Queenstown ward census data as comparators :			
	Age group	Census	Census (2011) Queenstown Ward	PSPO consult (2017)
	75+	6.7%	3.1%	2.3%
	65-74	8.2%	4,7%	13.6%
	45-64	10.5%	17.4%	46.6%
	30-44	17.7%	29.6%	23.1%
	20-29	23.1%	27.9%%	8.3%
	under 20	19.9%	17.4%	1.6% (18-24)*
	* Different age categorisation under ages of 18 between surveys shown in brackets			
	We can see that under 18s and those between the ages of 15 – 24 were under represented in the survey responses.			
	Ward data -. At borough level the 20- 29 age group make up 23.1% . In Queenstown ward this group make up 27.9%.			

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	<p>Annual Pricy memorial event – attendance at these events is not formally monitored. It is believed that the majority of attendees are aged between 20-29. Attendance is usually around 500 with most of those attending this event coming from outside of the borough.</p> <p>Consultation responses – One of the issues raised during the consultation was the draft prohibition of “wearing baseball caps and headgear to conceal identity; this was felt that it discriminated against young people and so the probation was amended .</p> <p>The prohibition was changed to read, Wearing any headgear, or any other means used to conceal his/her identity</p> <p>,</p>
Disability	<p>Only 4 of the respondents indicated that they had a disability which was 18.2% of the overall returns.</p>
Gender (sex)	<p>There was a 50/50 % split of respondees to the consultation.</p> <p>Ward data – 51% of the ward are female. This reflects the borough average.</p> <p>Annual Pricy memorial event – The event is usually attended by young men</p> <p>Consultation - In the free text options on the survey there was no indication of any impact in terms of gender.</p>
Gender reassignment	<p>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.</p>
Marriage and civil partnership	<p>47.3% of people in the borough are married and 0.44% in registered same-sex civil partnerships. The consultation contained options for free text comments. No feedback was received which indicated that the proposals would impact more on residents who are married or in a civil partnership.</p>
Pregnancy and maternity	<p>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.</p>
Race/ethnicity	<p>Ward data - The Queens town statistics for BME are as follows:</p>

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	<p>White – 64.3 % Mixed ethnic group: 6.2% Asian / Asian british 8.1% Black/caribbean/African/British 17.6%</p> <p>The BME population of Queenstown Ward is above the borough profile as borough profile for BME residents is 28.6% as compared to 35.7% for Queenstown.</p> <p>Annual Pricy memorial event – We know from last years observations that the majority of attendees at the event were BME young male adults. The Police and community put the figures at around 500.</p> <p>Consultation - Those who responded to the survey indicated thair ethnicity as follows: White 40% (an underrepresentation) Mixed /multiple ethnic 13.9%- a higher than average response Black.Caribbean/African/British 4.5%- (an underrepresentation)</p> <p>Nothing in the free text boxes indicated an impact on those who are of BME although we do know that the majority of attendees are young black males.</p>
<p>Religion and belief, including non belief</p>	<p>In 2011, just over half of residents identified themselves to be of Christian faith (53%). This was above the London average and below the national average. Relatively small minorities of residents in the borough identify as Muslim (8.1%), Hindu (2.1%), Sikh (0.3%), Buddhist (0.8%) or Jewish (0.5%), whilst 27.5% of the population of the borough reported that they hold no religious belief.</p> <p>No user feedback has identified an impact.</p>
<p>Sexual orientation</p>	<p>In 2015 according to the ONS the population of London had the largest percentage who identified themselves as lesbian, gay or bisexual (LGB) at 2.6%. Other higher figures such as 10% are sometimes quoted however an exact figure is difficult to source due to the sensitivity of the subject area and the variety of definitions used.</p> <p>The consultation contained options for free text comments, no user feedback raised this as an issue</p>

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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.
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Data gaps.

Data gap(s)	How will this be addressed?
Age gaps over 75 and under 18s	These groups will be specifically targetd with information about the PSPO, over the coming weeks
Impact of the proposed amendments	The impact of the proposals will be monitored in order to evaluate if there are any unintended negative impacts as a result.

5. Impact

Protected group	Positive	Negative
Age	<p>Reducing anti-social and irresponsible behaviour and fear for personal safety may encourage children, young people and older people to make greater use of parks and public places.</p> <p>In terms of a positive impact, over the last four years, residents and community groups have written to us to ask us to stop the event because of t he impact it has on their lives. The PSPO is being developed to address these concerns.</p> <p>In the consultation 95% of respondents were in favour of the PSPO</p>	<p>The event is attended by young people., Therefore if implemented the impact of the PSPO to restrict these activities could have a negative impact on these young people.</p> <p>In order to mitigate this the following actions have been identified: Through the regular meeting with partners that have tasken place:</p> <p>Officers will use their discretion over the circumstances involved in any incident, especially in the initial period of implementation, making reasonable adjustments for age.</p> <p>A discussive, educational approach will always be taken first and a warning given before any enforcement action.</p> <p>There will be publicity about the launch of PSPOs and both temporary and permanent signage used to explain the changes.</p>

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		<p>The equality impact of the PSPO will be monitored after its first year and additional actions taken if any unidentified negative impact is identified through this monitoring, Therefore if implemented the impact of the PSPO to restrict these activities could have a negative impact on these young men. The mitigating impacts as set out below will be implemented.</p> <p>One of the issues raised during the consultation was the draft prohibition of “wearing baseball caps and headgear to conceal identity; this was felt that it discriminated against young people and so the probation was amended .</p> <p>The prohibition was changed to read, Wearing any headgear, or any other means used to conceal his/her identity</p>
<p>Gender (sex)</p>	<p>As above</p>	<p>The event is attended by young men. As such the PSPO may impact more on young men. The mitigating actions set out above will be implemented.</p>
<p>Race/ethnicity</p>	<p>As above</p>	<p>The event is attended by young BME residents. The proposal if implemented could have a negative impact for those who are of BME background. The mitigating actions set out above will be implemented.</p> <p>In order to mitigate the potential negative we have met several times with our partners on the estate and have held a public meeting to take views from the residents of the estate.</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 lack of language. • A discussive, educational approach will always be taken first and a

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		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.
Disability	Reducing anti-social and irresponsible behaviour and fear for personal safety may encourage people with a disability to make greater use of parks and public places.	As above
Gender reassignment	As above	As above
Marriage and civil partnership	As above	As above
Pregnancy and maternity	As above	As above
Religion and belief, including non belief	The impact of the proposal is neutral on the issue of religion or belief.	AS for age response
Sexual orientation	.The impact of the proposal is neutral on the issue of religion or belief.	As for age response

6. Actions

Action	Lead Officer	Deadline
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
Once the event has taken place, a further review of the event and the levels of ASb and the views of residents will taken into consideration.	Angela Grzywacz	July 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

7. Consultation.

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A public consultation on the proposal to implement a PSPO was undertaken over a four week period up to the 5th April 2018. This was undertaken via an online survey asking for agreement, agreement with changes, disagreement or no opinion on each individual proposal. Also 1200 letters were sent to the community and residents of the Patmore Estate. We also held a public meeting on the Patmore estate on the 15th March 2018.

The public consultation resulted in 46 responses 95% of the respondents were supportive of the PSPO.