

Chesterfield Borough Council Equality Impact Assessment - Full Assessment Form

<i>Title of the policy, project, service, function or strategy:</i>		Anti-social Behaviour, Crime and Policing Act 2014: Renewal of the Public Spaces Protection Order
<i>Service Area:</i>	Health and Wellbeing	
<i>Section:</i>	Community Safety	
<i>Lead Officer:</i>	Ian Waller	
<i>Date of assessment:</i>	11/20	
<i>Is the policy, project, service, function or strategy:</i>		
<i>Existing</i>	x	
<i>Changed</i>	<input type="checkbox"/>	
<i>New / Proposed</i>	<input type="checkbox"/>	

Section 1 – Clear aims and objectives

1. What is the aim of the policy, project, service, function or strategy?
<p>The Public Spaces Protection Order (PSPO) is a power under the Anti-Social Behaviour, Crime and Policing Act 2014 that came into force in October 2014. In 2017 Chesterfield Borough Council introduced PSPO`s for the Town Centre to tackle anti-social behaviour and street drinking. PSPO's are intended to deal with a particular nuisance or problem in a particular geographical area that is detrimental to the local communities' quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.</p> <p>A PSPO can be made by the local authority if they are satisfied on reasonable grounds that the activities carried out or likely to be carried out, in a public place:</p> <ul style="list-style-type: none"> • Have had, or is likely to have a detrimental effect on the quality of life of those in the locality.

- Is, or likely to be of a persistent or continuing in nature.
- Is, or is likely to be unreasonable.
- Justifies the restrictions imposed.

The aim of the renewal of the orders is to continue the additional controls over street drinking and associated anti-social behaviour to the benefit of residents, businesses and visitors to Chesterfield.

2. Who is intended to benefit from the policy and how?

The PSPOs are part of a series of measures aimed at taking a holistic approach to improving Chesterfield for the benefit of all.

Since the PSPO`s introduction in December 2017, they have been an effective mechanism to support tackling town centre anti-social behaviour and street drinking.

The PSPO`s have become a crucial part of the menu of interventions available to the Police and Chesterfield Borough Council enforcement officers when faced with issues pertaining to anti-social behaviour and street drinking.

Since the introduction of the PSPO the interventions that this affords enforcement officers have been used a total of one hundred and twentynine times to the end of August 2020. Which includes the period of national lockdown due to the Covid-19 pandemic.

It is acknowledged that issues of street drinking and anti-social behaviour is a national issue with most cities and larger towns impacted in some way. Many of those who engage in this type of activity are experiencing a complex range of issues including drug and alcohol dependency, mental illness and the impact of welfare reform changes.

The Community Safety Partnership will continue to work with partners to provide support where appropriate to those most at risk.

The renewal of the PSPO`s will benefit the residents, businesses and visitors to Chesterfield

3. What outcomes do you want to achieve?

The renewal of the PSPO`s are an important mechanism required to help address the impact of anti-social behaviour and other related behaviours within the town centre. Having these orders in place over the previous three years has helped to reduce the negative impacts that these behaviours have. The aim is to make the town centre an attractive place where residents, visitors and those at work can feel safe and protected.

4. What barriers exist for both the Council and the groups/people with protected characteristics to enable these outcomes to be achieved?

The barriers to achieving these outcomes from a Chesterfield Borough Council perspective are largely a lack of powers available to us and our partners to effectively address the impact of anti-social behaviour and street drinking if these orders were not in place. In respect of those causing the anti-social behaviour the barriers are often multi-layer and complex including alcohol and drug dependency, mental health, housing challenge or homelessness and complex medical issues. Also in a number of the more difficult cases the individuals have made a lifestyle choice and will not engage with the support and treatment services available. A significant cause of the ASB is alcohol and drug use and as such Chesterfield Borough Council and partners will continue to work with those who are at risk to positively engage and help make positive lifestyle choices.

5. Any other relevant background information

The PSPO`s have been in place for three years and have positively contributed to the effective management of the Town Centre through providing the Police and Chesterfield Borough Council enforcement officers suitable and sufficient powers to address the specific concerns that have been clearly set out in the PSPO. The orders are designed to be flexible and encourage positive engagement something that helps to create dialogue with those who are at risk of breaching the orders.

Section 2 – Collecting your information

6. What existing data sources do you have to assess the impact of the policy, project, service, function or strategy?

The PSPO`s were introduced in December 2017. The original analysis of information on the need for the PSPOs was based on information taken from the E-CINS (Empowering Communities Inclusion and Neighbourhood Management System) database recording ASB from both council and police systems. E-CINS is a county-wide database with shared access to key partners that allows secure data sharing and case management. In addition, police crime and ASB statistics have been evaluated as well as the responses from the public consultation exercise. There was also a Town Centre summit chaired by the Police and Crime Commissioner and additional evidence on data has been reviewed at the two sub-groups covering enforcement and treatment/support.

Since the PSPO`s were introduced the town centre summits have continued to bring all partners together as part of an ongoing programme of review and development of interventions to support creating a safe and vibrant town centre. In addition, specific data from the Councils own PSPO records have shown that since the orders were introduced 129 PSPO interventions have been recorded, which indicates that they are an effective intervention as well as an effective deterrent.

Section 3 – Additional engagement activities

7. Please list any additional engagement activities undertaken when developing the proposal and completing this EIA. Have those who are anticipated to be affected by the policy been consulted with?

Date	Activity	Main findings
02/11/20 to 16/11/20	Formal public consultation on the proposal to renew the existing PSPO`s	<p>Whilst no general public responses to the consultation were received, three responses were received from Derbyshire County Council Community Safety Unit, The Police and Crime Commissioner for Derbyshire, and the Chief Superintendent North Divisional Commander Derbyshire Constabulary.</p> <p>The responses from Derbyshire County Council, the Police and the Police and Crime Commissioner confirmed continued support for the orders.</p>

May – September 2017	Public consultation in relation to the introduction of the PSPO in 2017	The detailed findings contained within the cabinet reports in 2017 confirmed that the majority of respondents (over 90%) supported the introduction of the PSPOs.
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Section 4 – What is the impact?

8. Summary of anticipated impacts. <i>Please tick at least one option per protected characteristic. Think about barriers people may experience in accessing services, how the policy is likely to affect the promotion of equality, knowledge of customer experiences to date. You may need to think about sub-groups within categories eg. older people, younger people, people with hearing impairment etc.</i>			
	Positive impact	Negative impact	No disproportionate impact
Age	x	<input type="checkbox"/>	<input type="checkbox"/>
Disability and long-term conditions	x	<input type="checkbox"/>	<input type="checkbox"/>
Gender and gender reassignment	x	<input type="checkbox"/>	<input type="checkbox"/>
Marriage and civil partnership	x	<input type="checkbox"/>	<input type="checkbox"/>
Pregnant women and people on parental leave	x	<input type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	x	<input type="checkbox"/>	<input type="checkbox"/>
Ethnicity	x	<input type="checkbox"/>	<input type="checkbox"/>
Religion and belief	x	<input type="checkbox"/>	<input type="checkbox"/>

9. Details of anticipated positive impacts.	
a)	<ul style="list-style-type: none"> The orders help to reduce ASB and as a result help to protect anyone who may find ASB intimidating, unsafe and threatening. The orders provide enforcement powers that mean that a proportionate response is available and as a result anyone who may be more sensitive to the impacts of ASB and may find it intimidating, and threatening will benefit from the renewal of the PSPO`s. Anyone walking alone are likely to find the ASB intimidating, unsafe and threatening. The PSPO`s will help to reduce the levels of ASB and as a result help to reduce the fear associated with it. The wording within the PSPO`s supports the identification of those who are vulnerable and who may be behaving in a way that is a breach of the PSPO but due to the ongoing training of partners are able to

signpost / refer to support organisations							
✗ Age	✗ Disability	✗ Gender	✗ Marriage	✗ Pregnancy	✗ Sexual orientation	✗ Ethnicity	✗ Religion

10. Details of anticipated negative impacts.

a)	<i>Negative impact:</i>	<ul style="list-style-type: none"> • Young people may be more likely to congregate in groups that may cause alarm, nuisance, distress or harassment to others. • Some people with mental health issues or dependency on drugs and alcohol may be more likely to exhibit behaviours that would breach the proposed PSPO controls. • Potential for the controls on tents and temporary structures to impact on travellers and gypsies who are a protected group. • The PSPO`s may target homeless people in terms of begging and the use of tents. 								
	<i>Mitigating action:</i>	<ul style="list-style-type: none"> • Proportionate enforcement of the PSPO prohibitions. Continued work with partners to provide diversionary activities and support for young people to avoid the congregation. • Proportionate enforcement of the PSPO prohibitions. Training enforcement staff to be able to signpost those with disability and health challenges that breach the PSPO to the most appropriate support or treatment partner. • The PSPO`s exclude travellers and gypsies from the prohibitions relating to tents and moveable structures as there are existing controls in place. • Proportionate enforcement of the PSPO prohibitions. Continuation of work with partners (including charities and faith groups) to provide support services to people who are homeless. Officers enforcing the Order are briefed to signpost rough sleepers to appropriate support services. In addition the impact of Covid-19 has seen significant investment and additional capacity to support homelessness through the `everyone in ` scheme 								
		<table border="1"> <tr> <td>✗ Age</td> <td>✗ Disability</td> <td>✗ Gender</td> <td>✗ Marriage</td> <td>✗ Pregnancy</td> <td>✗ Sexual orientation</td> <td>✗ Ethnicity</td> <td>✗ Religion</td> </tr> </table>	✗ Age	✗ Disability	✗ Gender	✗ Marriage	✗ Pregnancy	✗ Sexual orientation	✗ Ethnicity	✗ Religion
✗ Age	✗ Disability	✗ Gender	✗ Marriage	✗ Pregnancy	✗ Sexual orientation	✗ Ethnicity	✗ Religion			

11. Have all negative impacts identified in the table above been mitigated against with appropriate action?

Yes

No

N/A

If no, please explain why:

Section 5 – Recommendations and monitoring

12. How has the EIA helped to shape the policy, project, service, function or strategy or affected the recommendation or decision?

The EIA has reflected upon the fact that the PSPO`s have been in place now for three years and as such it is possible to better understand the potential impact but also the opportunities that the orders provide. Through undertaking the EIA it identifies possible areas where the PSPO`s may have an adverse impact on a particular group of people. In reviewing this It has then supported the development of actions to address these possible impacts. In addition, the EIA enables the reflection upon the methods of enforcement and engagement with those possibly in breach of the PSPO to address underlying health and inequality challenges and offer support and signposting as a first option. The who need additional support who are vulnerable and at risk of breaching the PSPO through ASB / street drinking will be offered where appropriate suitable support in an attempt to enable improved lifestyle choices to be made.

13. How are you going to monitor the policy, project, service, function or strategy, how often and who will be responsible?

The PSPO`s have been in place for three years and are now being renewed as there remains a need for the orders to be in place to help to combat anti-social behaviour in the town centre. The implementation and operation of the PSPO is reviewed by the Community Safety Partnership as part of its ongoing programme of engagement with partners around all aspects of crime and disorder.

The purpose of the review is to identify where issues remain and target resources accordingly. The partnership also considers emerging problems and also to build on learning from operation and enforcement of the PSPO including shared intelligence on the effectiveness of the treatment and support services.

Section 6 – Knowledge management and publication

Please note the draft EIA should be reviewed by the appropriate Service Manager and the Policy Service **before** WBR, Lead Member, Cabinet, Council reports are produced.

Reviewed by Head of Service/Service Manager	Name:	Ian Waller
	Date:	20/11/2020
Reviewed by Policy Service	Name:	Donna Reddish
	Date:	23/11/2020
Final version of the EIA sent to Policy Service	x	
Decision information sent to Policy Service	x	