

Equality Impact Assessment

Title of report or proposal:
Town Centre Public Spaces Protection Order (PSPO)

Department:	PLACE
Section:	Community Safety Services
Date:	23/03/2018

Public sector bodies need to be able to evidence that they have given due regard to the impact and potential impact on all people with 'protected characteristics' in shaping policy, in delivering services, and in relation to their own employees.

Under the Equality Act 2010, the council has a general duty to have **due regard** to the need to:

1. **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
2. **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
3. **foster good relations** between people who share a protected characteristic and people who do not share it.

1. **Describe in summary the aims, objectives and purpose of the proposal, including desired outcomes.**

The main aim of this proposal is to reduce and prevent anti-social behaviour in the Town Centre.

Objectives:

- To reduce anti-social behaviour, including alcohol related anti-social behaviour and the use of legal highs.
- To reduce begging, in particular aggressive begging
- To reduce problematic street pedlars and unregulated street trading activities that are not contributing to the local economy
- To reduce and manage commercial and charity collections and chuggers (individuals paid by charities to raise funds on their behalf) to ensure they are legitimate and sound
- To reduce littering and damage within the town centre.
- Behaviours causing nuisance and annoyance.

Purpose: To seek agreement to consult on the introduction of a PSPO for the Bolton Town Centre.

Outcomes: A safe town centre that contributes to the ambitions of the Town Centre Master Plan and the Vision 2030

2. Is this a new policy / function / service or review of existing one?

This is a new policy responding to a rise in anti-social issues within the town centre.

3. Who are the main stakeholders in relation to the proposal?

Visitors to Bolton Town Centre
Central Bolton Partnership / Business Bolton / Businesses
Transport Providers / TfGM
Town Centre residents
Greater Manchester Police
Greater Manchester Deputy Mayor for Policing & Crime
Ward Councillors
Council departments

4. In summary, what are the anticipated (positive or negative) impacts of the proposal?

Positive impact – increased and improved enforcement activity to respond to those issues that are causing concern for members of the public and other key stakeholders.

Negative – A possible perception that the council is being overly zealous in the use of powers, and in the case of aggressive begging targeting those that are already vulnerable in society.

5. What, if any, cumulative impact could the proposal have?

In developing these proposals discussions have taken place with the council lead for the Homelessness Action Plan. Although this proposal does not aim to address homelessness it may have a positive impact in increasing the number of beggars (who are legitimately homeless) into appropriate support services.

There could be a displacement of the issues identified in to other areas of Bolton. Research highlights that where displacement takes place this is normally not to the same levels as those experienced in the original enforcement area. Monitoring will be carried out to assess any displacement.

6. With regard to the stakeholders identified above and the diversity groups set out below:

	Is there any potential for (positive or negative) differential impact? Could this lead to adverse impact and if so what?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group, or for any other reason? Please state why	Please detail what actions you will take to remedy any identified adverse impact i.e. actions to eliminate discrimination, advance equality of opportunity and foster good relations
Race (this includes ethnic or national origins, colour or nationality, and caste, and includes refugees and migrants; and gypsies and travellers)	The PSPO conditions will apply to anyone regardless of background if they are found to be in breach of the conditions within the area defined.		
Religion or belief (this includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief)	None of the conditions within the PSPO should have an effect on a person's ability to worship / follow religious beliefs.		
Disability (a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities)	<p>Those with disabilities could be positively impacted if skateboarding / cycling is banned and if the use of A boards are curtailed. People with disabilities may feel more vulnerable when confronted by beggars / aggressive individuals under the influence of alcohol or drugs.</p> <p>Anyone regardless of their personal characteristics could be subject to penalties arising from the PSPO if they are found to be in breach of its conditions. The threshold is if the serving Officer deems the behaviour to be a breach of the conditions and feels that an FPN is warranted.</p>		Mental health considerations will be taken into account by officers at the time of any enforcement action.

<p>Sex / Gender</p>	<p>The conditions of the PSPO apply equally to both men and women.</p> <p>Whilst conditions apply equally, some of the activities the PSPO seeks to curtail are carried out predominately by men (e.g. begging, skateboarding) – so they could be more adversely affected. Previous surveys and complaints that women are more likely to feel vulnerable / victimised when confronted by beggars / aggressive drunks / drug users.</p>		
<p>Gender reassignment / Gender identity (a person who's deeply felt and individual experience of gender may not correspond to the sex assigned to them at birth, they may or may not propose to, start or complete a process to change their gender. A person does not need to be under medical supervision to be protected)</p>	<p>None of the conditions within the PSPO should have an effect on a person's sexuality or sexual identity.</p>		
<p>Age (people of all ages)</p>	<p>No young person has been evidenced begging in the Town Centre. Any child identified would be dealt with under the police and council's safeguarding policies. The prohibition relating to skateboards is likely to impact more on young people than other age groups.</p> <p>Elderly people feel more vulnerable when confronted by beggars / aggressive drunks / drug users (via surveys and complaints). See report for further details.</p>		<p>Any young person will be referred into safeguarding mechanisms.</p> <p>The PSPO conditions can be applied to anyone over the age of 10. However, when serving an FPN against a minor, the Council will need to inform the Youth Offending Service (YOS) and the legal guardian of the young person. Young people are able to use the dedicated Skate Park (this area is exempt).</p>

Sexual orientation - people who are lesbian, gay and bisexual.	None of the conditions within the PSPO should have an effect on a person's sexuality.		
Marriage and civil partnership (Only in relation to due regard to the need to eliminate discrimination)	None of the conditions within the PSPO should have an effect on a person's marriage or civil partnership.		
Caring status (including pregnancy & maternity)	None of the conditions within the PSPO are specifically targeted towards those who are pregnant or undertaking maternity leave. Although, pregnant women may feel more vulnerable when confronted by aggressive drunks / drug users / beggars and possibly more vulnerable with cyclists / skateboard users going past them in pedestrian areas.		
Socio-economic	Committing offences prohibited by the PSPO could result in a fine which some individuals may struggle to pay. However, the primary purpose of the proposed PSPO is to act as a suitable deterrent to such behaviours and therefore avert the need for such fines.		
Other comments or issues.			

Please provide a list of the evidence used to inform this EIA, such as the results of consultation or other engagement, service take-up, service monitoring, surveys, stakeholder comments and complaints where appropriate.

See body of the report for details on the evidence used for this proposal. A public consultation will take place which will further inform the prohibitions in the final order.

This EIA form and report has been checked and countersigned by the Departmental Equalities Officer before proceeding to Executive Member(s)

Please confirm the outcome of this EIA:

No major impact identified, therefore no major changes required – proceed	<input type="checkbox"/>
Adjustments to remove barriers / promote equality (mitigate impact) have been identified – proceed	<input checked="" type="checkbox"/>
Positive impact for one or more groups justified on the grounds of promoting equality - proceed	<input type="checkbox"/>
Continue despite having identified potential for adverse impact/missed opportunities for promoting equality – this requires a strong justification	<input type="checkbox"/>
The EIA identifies actual or potential unlawful discrimination - stop and rethink	<input type="checkbox"/>

Report Officer

Name: Rafael Martinez
Date: 23/03/2018

Departmental Equalities Lead Officer

Name: Tammy Tatman
Date: 23/03/2018