

APPENDIX E – PSPO Equality Analysis

Title of policy / procedure / function / project / decision: Public Space Protection Order for Harborough District Council

Evidence based equality analysis – can include documents, quotes, and web links for photos and videos

A Public Space Protection Order (PSPO) allows a local authority to introduce a series of measures into a defined area. The proposed PSPO will bring in measures to control and restrict certain activities, in particular new and enhanced powers to tackle dog fouling and other forms of irresponsible dog ownership, and replace the existing Designated Public Place Orders (DPPO) which restricts the consumption of alcohol in a public place in designated areas.

This is a legal order that can last for up to three years and it will prohibit a number of activities. If an element of this order is breached, the outcome could be that the individual is issued with a fixed penalty notice for £100 or fined up to a maximum of £1000 if at court.

The Regulatory Committee agreed at its meeting on the 27 October 2015 that they wanted to progress a consultation on a proposal to introduce a Public Space Protection Order for Harborough District Council. This proposed introducing measures to tackle dog fouling and other forms of irresponsible dog ownership, and replace the existing Designated Public Place Orders (DPPO) which restricts the consumption of alcohol in a public place in designated areas i.e. Harborough and Lutterworth Town Centres. The public consultation was held between the 16 November to 29 December 2015. The outcome of which was presented to the Regulatory Services Committee on the 15 March 2016. Further consultation was undertaken with Elected Members from Market Harborough and Lutterworth.

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Name of lead officer(s): Christine Zacharia – Team Leader Planning Enforcement and Sarah Pickering – Senior Community Safety Officer.

Date assessment completed: 1 March 2016

Equality analysis is a valuable tool to help embed equality into everything we do. While process is important; equality analysis is essentially about outcomes. The lack of evidence of discrimination is not evidence of a lack of discrimination

It is not acceptable to say that a policy is applied uniformly to all groups and is therefore fair and equal. Applying a policy or procedure consistently may result in differential outcomes for different groups.

For each of the areas below, an assessment needs to be made on whether the policy has a **positive, negative or neutral impact** and brief details of why this decision was made and notes of any mitigation should be included. Where the impact is negative, this needs to be given a **high, medium or low assessment**. It is important to rate the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

	Neutral	Positive	Negative
Target group / area			
Race and ethnicity	There is no evidence that this will impact on any specific person based on their race or ethnicity. Leaflets/posters will be easy to read and translation will be available if required		
Disability	There is no evidence that this will		

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<p>(as defined by the Equality Act - a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities)</p>	<p>impact on any specific person based on their disability. race or ethnicity.</p> <p>With regard to enhanced dog controls, there are specific exemptions in the order as follows:</p> <p>i) Nothing in this Order shall apply to a person who:</p> <p>(a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or</p> <p>(b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or</p> <p>(c) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.</p>		
<p>Gender</p>	<p>There is no evidence that this will impact on any specific</p>		

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	person based on their gender		
Gender reassignment	There is no evidence that this will impact on any specific person based on this group of individuals.		
Religion and belief	There is no evidence that this will impact on any specific person based on their beliefs or religion		
Sexual orientation (including heterosexual, lesbian, gay, bisexual)	There is no evidence that this will impact on any specific person based on their sexual orientation.		
Age (children and young people aged 0 – 24, adults aged 25 – 50, younger older people aged 51 – 75/80; older people 81+. The age categories are for illustration only as overriding consideration should be given to needs)	<p>A prosecution or issue of a Fixed Penalty Notice will not be issued to a person under the age of 18 without consultation with the Youth Offending Team where applicable and in accordance with the Council's Enforcement Policy.</p> <p>There is no evidence available that demonstrates an impact on any specific age group</p> <p>No fixed penalty notices with regard to dog fouling have been issued in the last 3 years.</p>		
Rural communities		With regard to dog controls, the order is proposed on all open spaces the public have access to. With regard to the restricted	

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		consumption of alcohol this applies to two main Town Centres, however on balance it is not thought to have an impact on the rural communities.	
Human rights	There is no evidence that this will impact on any specific persons human rights. Any formal action will be taken in accordance with the Council's Enforcement Policy which takes into account the primary human rights legislation.		
Health and wellbeing (consider both the wider determinants of health such as education, housing, employment, environment, crime and transport, as well as the possible impacts on lifestyles and the effect there may be on health and care services)		<p>The Order has been proposed due to the number of complaints received of dog fouling in public spaces and the impact irresponsible dog owners have on people's quality of lives. The consultation responses show an overwhelming number of people in favour of the new enhanced dog controls.</p> <p>With regard to controls on consumption of alcohol in designated areas this will in turn have a positive impact in reducing alcohol related anti-social behaviour</p>	

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Evidence :

The outcomes of the public consultation exercise are available at: Appendix 2 – Enhanced Dog Controls and Appendix 5 controlled drinking zones. The Draft order is available at Appendix 1.

EIA Action Plan

Equality Objective	Action Required	Target	Officer Responsible	Review Date
Consistency in the use of the order	To provide training to all frontline officers that will be responsible in enforcing the order.	The relevant officers are aware of the order and how it is enforced	Christine Zacharia/Legal officers/Sarah Pickering	Within 1 month of the order being adopted
To know the equality profile of every occasion where the order has been applied	Collect monitoring data on age, gender and ethnicity where the order has been applied	Collate data on a quarterly basis and share with other services and stakeholders	Sarah Pickering	Start collecting once the order is formally adopted
To ensure that all communities understand the order and its application	Produce leaflets/guidance notes and translation on a needs basis	To ensure that any communities identified as needing a greater understanding of the order receive information in an understandable format	Senior Community Safety Officer (ASB Co-ordinator)/ HDC Communications	Within 1 month of the order being adopted