

EQUALITY IMPACT ASSESSMENT

Community Connections – City Wide Public Space Protection Order



STAGE 1: WHAT IS BEING ASSESSED AND BY WHOM?

What is being assessed - including a brief description of aims and objectives?

Public Spaces Protection Order.

The Public Spaces Protection Order (PSPO) is one of the powers available to Local Authorities under the Anti-Social behaviour, Crime and Policing Act 2014. This legislation enables the Local Authority to introduce a PSPO to an area to deal with a particular nuisance which is detrimental to the local community’s life. It is designed to ensure the majority can use and enjoy public spaces safe from crime and antisocial behaviour (ASB). The aim of the PSPO is to reduce anti-social and nuisance behaviour that can be attributed to the consumption of alcohol in public spaces .This is an issue that is known to have a detrimental effect in communities and can impact both quality of home life and business. The PSPO does not place a ban on public alcohol consumption; rather it allows for greater control of alcohol consumption where it becomes of a problematic nature – e.g. large groups of consuming alcohol intimidating residents/passers-by; and gives police additional powers within a designated area to tackle alcohol consumption in public spaces where those anti-social behaviours are attributed to alcohol consumption.

Plymouth has adopted a Trauma Informed, person centred approach to business. This approach seeks to tackle root cause issues and not use a quick fix style in tackling complex issues. With this in mind the use of this particular legislation seeks to support those who are alcohol dependent whilst offering solutions to the communities impacted. This vulnerable community often frequent public spaces to consume alcohol. This prohibition will focus on reducing the disruption and nuisance caused by the minority. It will focus on behaviours such as rowdy behaviour, use of foul language and will only be used to tackle the behaviours, not the act of consuming alcohol in public. This will reduce the likelihood of those who are addicted to alcohol being penalised simply due to circumstances. It is understood that a number of those individuals drinking alcohol in public places are doing so not only to manage their addiction to alcohol but also as their place of residence does not allow for the consumption of alcohol.

Potential displacement issues following the introduction of the PSPO will be closely monitored. However it is believed that this approach has the potential to reduce current localised displacements as the order is citywide. If those who are most vulnerable are feeling less need to be transient this could lead to an improved continuity of support offer. This would maximise opportunities for those most who are vulnerable to link in meaningfully with those services that are in place to assist. Recognising both the complexity of these individuals and the financial limitation that they face Plymouth City Council has agreed the use of a bespoke Anti-Social Behaviour escalation process to deal with persistent breaches of a PSPO. At all times suitable support and interventions will be offered to those who have issues linked to the misuse of alcohol and this PSPO application is designed to offer this relevant support at every opportunity.

Plymouth City Council will continue to work with all relevant support agencies, alongside Devon and Cornwall Police throughout the duration of the PSPO to ensure that as and when individual needs are identified, suitable support is found and offered. This approach will balance the needs of vulnerable individuals with the needs and rights of wider communities to live in a city free from Anti-Social Behaviour. It is anticipated that all residents of Plymouth will benefit from the introduction of this PSPO. All cases will be dealt with on an individual basis and the PSPO will always consider the test of “reasonable excuse”, providing and exemption from the order if the excuse for the behaviour is reasonable.

Current data shows;

8,838 Anti-Social Behaviour incidents recorded, of which 10% are related to Street Drinking (861). Reported incidence of Street Drinking has decreased by 7% compared with previous years.

- 13% of all recorded crime is flagged as Alcohol-related. Alcohol related crime has risen by 12% over the last 12 months (2795 to 3143 – 348 increase).
- Plymouth is estimated to have 1.58% dependent drinkers (3,320) compared to 1.26% across the South West region and 1.39% nationally.
- Rates of alcohol-related admissions are lower than the national average (546 hospital admissions per 1000,000 population compared to 570 nationally).
- Problem Drinking and Alcohol Related Hospital admissions has been highlighted as a high risk and should be prioritised by Safer Plymouth and all of its partners.
- Alcohol Related Crime has been identified as a moderate risk.

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STAGE 2: EVIDENCE AND IMPACT

Protected characteristics (Equality Act)	Evidence and information (eg data and feedback)	Any adverse impact See guidance on how to make judgement	Actions	Timescale and who is responsible
Age	<p>The introduction of this PSPO will not target a specific age range. Plymouth does not hold any precise data as to the average age of those who are alcohol addicted “street drinkers”.</p> <p>For the purpose of this EI the term “street drinker” refers to those who regularly drink alcohol, or are drunk in a public places, and while they may have accommodation they are known to lead street based lifestyles.</p>	The process of enforcing the PSPO is solely focussed on the prohibition in the order, which is ASB linked to the consumption of alcohol in public spaces.	All ages of vulnerability will be referred into safeguarding and support provisions and mechanisms.	Community Connections.
Disability	<p>Addiction to alcohol is not a recognised disability however you might be disabled if your addiction caused an impairment. For example if you have liver disease or depression caused by alcohol dependency, that would be an impairment.</p> <p>It might also be a disability if your addiction was originally caused by medical treatment or medically prescribed drugs.</p> <p>Many alcohol dependent street drinkers have multiple complex interlinked conditions.</p> <p>This PSPO may impact those who are alcohol dependent more than other communities. This impact will be mitigated by use of a well thought out</p>	<p>The PSPO will have a positive impact as it offers a targeted support mechanism to those who are most vulnerable, and by reducing localised displacement it offers increased opportunity to offer this support.</p> <p>The process of enforcing the PSPO is</p>		

	strengths based support system which ensures needs are identified and addressed.					solely focussed on the prohibition of the order. Plymouth City Council does not expect a disability to influence the actions of the enforcement officers or the execution of the order. The treatment and process of applying the order will be the same for all. Taking into account those who are alcohol dependent and their specific need.		
Faith/religion or belief	2011 Census data					No adverse impact is anticipated	N/A	
	Residents	Count	Persons	Mar-11	256384	The process of enforcing the PSPO is solely focussed on the prohibition of the order. Plymouth City Council does not expect faith, relation or belief to influence the actions of the enforcement officers or the execution of the order. The treatment and process of applying the order will be the same for all.		
	Christian	Count	Persons	Mar-11	148917			
	Christian	Percentage	Persons	Mar-11	58.1			
	Buddhist	Count	Persons	Mar-11	881			
	Buddhist	Percentage	Persons	Mar-11	0.3			
	Hindu	Count	Persons	Mar-11	567			
	Hindu	Percentage	Persons	Mar-11	0.2			
	Jewish	Count	Persons	Mar-11	168			
	Jewish	Percentage	Persons	Mar-11	0.1			
	Muslim	Count	Persons	Mar-11	2078			
	Muslim	Percentage	Persons	Mar-11	0.8			
	Sikh	Count	Persons	Mar-11	89			
	Sikh	Percentage	Persons	Mar-11	0			
	Other Religion	Count	Persons	Mar-11	1198			
	Other Religion	Percentage	Persons	Mar-11	0.5			
	No Religion	Count	Persons	Mar-11	84295			
	No Religion	Percentage	Persons	Mar-11	32.9			
	Religion Not Stated	Count	Persons	Mar-11	18191			

	Religion Not Stated	Percentage	Persons	Mar-11	7.1			
Gender - including marriage, pregnancy and maternity	National data indicates that men are more likely to drink alcohol than women. When looking at self-reported drinking behavior by identified gender, the latest data shows that 61.9% of men and 52.4% of women drank alcohol in the week prior to interview. Looking at drinking habits by age, the highest consumption was found among those aged 45 to 64 years, with 64.6% saying they drank alcohol in the past week; the lowest was found among those aged 16 to 24 years, with 47.9% saying they drank alcohol in the past week. Currently in Plymouth 34 individuals are linked to a partnership seeking to address issues of street drinking, homelessness and/or begging. These issues are often complex and linked. Of the 34 individuals 24 are male and 10 female.					The PSPO will have a positive impact as a citywide consistent approach will allow support services to better engage those most at risk. The process of enforcing the PSPO is solely focussed on the prohibition of the order. Plymouth City Council does not expect gender to influence the actions of the enforcement officers or the execution of the order. The treatment and process of applying the order will be the same for all.	N/A	
Gender reassignment	Gender reassignment data is not available at ward level. Recent surveys have put the prevalence of transgender people between 0.5 and 1% of population (some very recent reports have upped this to 2%)					No adverse impact is anticipated The process of enforcing the PSPO is solely focussed on the prohibition of the order. Plymouth City Council does not expect gender reassignment to influence the actions of the enforcement officers or the execution of the order. The treatment and process of applying	N/A	

		the order will be the same for all.		
Race	All	256384	No adverse impact is anticipated The process of enforcing the PSPO is solely focussed on the prohibitions of the order. Plymouth City Council does not expect race to influence the actions of the enforcement officers or the execution of the order. The treatment and process of applying the order will be the same for all.	N/A
	White: English/Welsh/Scottish/Northern Irish/British	238263		
	White: Irish	1105		
	White: Gypsy or Irish Traveller	153		
	White: Other White	6988		
	Mixed/multiple ethnic group: White and Black Caribbean	904		
	Mixed/multiple ethnic group: White and Black African	523		
	Mixed/multiple ethnic group: White and Asian	1028		
	Mixed/multiple ethnic group: Other Mixed	832		
	Asian/Asian British: Indian	875		
	Asian/Asian British: Pakistani	202		
	Asian/Asian British: Bangladeshi	359		
	Asian/Asian British: Chinese	1251		
	Asian/Asian British: Other Asian	1219		
	Black/African/Caribbean/Black British: African	1106		
	Black/African/Caribbean/Black British: Caribbean	343		
	Black/African/Caribbean/Black British: Other Black	229		
	Other ethnic group: Arab	399		
	Other ethnic group: Any other ethnic group	605		

Sexual orientation - including civil partnership	There is no precise local data on numbers of LGBTQ individuals in Plymouth, but nationally the government have estimated this to be between 5 - 7 per cent.	<p>No adverse impact is anticipated</p> <p>The process of enforcing the PSPO is solely focussed on the prohibition of the order. Plymouth City Council does not expect sexual orientation to influence the actions of the enforcement officers or the execution of the order. The treatment and process of applying the order will be the same for all.</p>	N/A	

STAGE 3: ARE THERE ANY IMPLICATIONS FOR THE FOLLOWING? IF SO, PLEASE RECORD ACTIONS TO BE TAKEN

Local priorities	Implications	Timescale and who is responsible
Reduce the gap in average hourly pay between men and women by 2020.	No adverse impact is anticipated	
Increase the number of hate crime incidents reported and maintain good satisfaction rates in dealing with racist, disablist, homophobic, transphobic and faith, religion and belief incidents by 2020.	No adverse impact is anticipated. The Council believes the introduction of the PSPO will assist in the reduction of alcohol related hate incidents and protect businesses in the local area.	
Good relations between different communities (community cohesion)	Plymouth City Council has a public duty to protect its residents, to share information and to safeguard the community. The Council believes that the PSPO will have a positive impact on the community by reducing tensions between the residents and the street drinkers.	
Human rights Please refer to guidance	<p>The following articles of the Human Rights Act have been considered:</p> <p>Article 1: Protection of Property</p> <p>Point to be considered:</p> <ol style="list-style-type: none"> 1. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. <p>The removal of an open container of alcohol or of a vehicle could remove the right to the protection of property. However, the positive impact would be to reduce accidents and safeguard members of the public and the wider community.</p>	

	<p>Article 2: Right to Life</p> <p>Point to be considered:</p> <p>2.2 (b) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained;</p> <p>The PSPO Prohibition around nuisance drivers is recognised as positive to reduce accidents and safeguard members of the public and the wider community.</p> <p>Article 6</p> <p>Everyone charged with a criminal offence has the following minimum rights:</p> <p>(a)to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;</p> <p>Article 8: Right to respect for private and family life</p> <p>Point to be considered:</p> <p>8.2There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.</p> <p>Impact on an individual when having a container of alcohol removed may remove the right to a public and private life. The positive impact reduces the risk to members of the community of threat, risk and harm. It can also provide a route into support agencies.</p> <p>Article 10: Freedom of expression</p> <p>Point to be considered:</p> <p>10.2 The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the</p>	
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	<p>protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.</p> <p>Individuals may feel their right to freedom of expression may be threatened if their alcohol is removed. The positive impact is that the removal of alcohol may modify behaviour and, where relevant, better enable support service engagement.</p>	
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STAGE 4: PUBLICATION

Responsible Officer 

Date
14/09/2020

Director, Assistant Director or Head of Service