


# EQUALITY IMPACT ASSESSMENT – CITY-WIDE PUBLIC SPACES PROTECTION ORDER

## SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<b>Author(s):</b> This is the person completing the EIA template.	Kristina Browning	<b>Department and service:</b>	People – Community Connections	<b>Date of assessment:</b>	15 August 2023
<b>Lead Officer:</b> Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Matt Garrett	<b>Signature:</b>		<b>Approval date:</b>	15 August 2023
<b>Overview:</b>	<p>This EIA assesses the impact of a three year extension to the city-wide alcohol-related Public Spaces Protection Order (PSPO). The prohibitions of the proposed order state:</p> <ol style="list-style-type: none"> <li>1. No person shall continue to consume alcohol, or anything which is reasonably believed to be alcohol, when asked to stop by an authorised officer who, in their view believe this would assist in preventing further anti-social behaviour, public nuisance or disorder</li> <li>2. No person shall fail to surrender a vessel(s) of alcohol, sealed or unsealed, when requested by an authorised officer who, in their view believe this would assist in preventing further anti-social behaviour, public nuisance or disorder</li> </ol> <p>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 this 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</p>				

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.

The Council have undertaken the required consultation process to establish whether the current city-wide alcohol-related PSPO should be extended for a further three years. The feedback from both partner agencies and members of the public shows significant support for the PSPO to be extended and for this to continue being city-wide. This is also supported by crime data showing an increase in rates of alcohol-related crime, impacting all communities within Plymouth.

The consultation did however also highlight a lack of understanding around the PSPO within some communities and a disparity in the way it was applied across the city. Concerns were also highlighted about the impact on those who were alcohol-dependent including the risk of removing their alcohol and missed opportunities for diverting this community to support agencies.

Based on the above, the following recommendations have been made:

1. The city-wide alcohol-related PSPO should continue, with the same terms, for a further three years – from October '23 until 20<sup>th</sup> October '26. A final draft of the PSPO is attached with this briefing.
2. A training package will be created by PCC Safer Communities team in relation to the PSPO and how it should be applied in a trauma-informed way.
3. An easy-read leaflet will be produced so this can be given to those who are asked to stop drinking or those who have their alcohol removed under the PSPO. This leaflet will explain the terms of the PSPO and have information about agencies who may be able to offer support, e.g. with alcohol dependency and homelessness.
4. PCC to release external comms in relation to the renewal of the PSPO and an updated copy published on the PCC website.

**Decision required:**

Agree a three-year extension to the current city-wide Public Spaces Protection Order linked to alcohol-related anti-social behaviour commencing on 20 October 2023 and ending on 20 October 2026.

**SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL**

<b>Potential external impacts:</b> Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?	<b>Yes</b>	x	<b>No</b>	
<b>Potential internal impacts:</b> Does the proposal have the potential to negatively impact Plymouth City Council employees?	<b>Yes</b>		<b>No</b>	x
Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)	<b>Yes</b>	x	<b>No</b>	
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.				

**SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT**

<b>Protected characteristics (Equality Act, 2010)</b>	<b>Evidence and information (e.g. data and consultation feedback)</b>	<b>Adverse impact</b>	<b>Mitigation activities</b>	<b>Timescale and responsible department</b>
<b>Age</b>	Plymouth does not hold any precise data as to the average age of those who are alcohol addicted “street drinkers”. For the purpose of this EIA the term “street drinker” refers to those who regularly drink alcohol in public places, and while they may have accommodation they are known to lead street based lifestyles.	There is no anticipated adverse impact of the PSPO on any particular age demographic. The process of enforcing the PSPO is solely focussed on the prohibitions in the order, which is ASB linked to the consumption of alcohol in public spaces.	All ages of vulnerability will be referred onto relevant support agencies.	Community Connections – as required

<p><b>Care experienced individuals</b></p> <p>(Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience.</p> <p>Plymouth does not hold any precise data in relation to those alcohol-addicted ‘street drinkers’ who are care experienced individuals however it is recognised that a number of street drinkers are homeless and may be care experienced.</p>	<p>There is no anticipated adverse impact of the PSPO on those who are care experienced. The process of enforcing the PSPO is solely focussed on the prohibitions in the order, which is ASB linked to the consumption of alcohol in public spaces.</p>	<p>n/a</p>	<p>n/a</p>
<p><b>Disability</b></p>	<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>Plymouth does not hold any precise data in relation to disabilities of those who are alcohol-addicted ‘street drinkers’ however it is recognised that 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 as they are more likely to have their alcohol removed or be asked to stop drinking.</p> <p>However, it is only those who are causing ASB when they drink alcohol that will be impacted by the prohibitions within the PSPO. An alcohol-dependent individual can drink alcohol anywhere in the city so long as they are not causing ASB.</p>	<p>The impact will be mitigated by additional training for police and PARC officers to ensure that ‘every contact counts’ and that those who are asked to stop drinking or hand over their alcohol are signposted to relevant support services or safeguarded, where appropriate.</p> <p>In acknowledgement that some of the street drinking community will have low levels of literacy or may have learning</p>	<p>Community Connections – as required</p>

		The PSPO will also have a positive impact as it provides opportunities for those dependent on alcohol to be referred into appropriate support mechanisms or safeguarded.	difficulties, we will also produce an easy read leaflet to ensure all can understand the terms of the PSPO and why they need to comply with it.	
<b>Gender reassignment</b>	<p>The 2021 Census found that 94.2 per cent (205,959) people aged 16 years and over in Plymouth have a gender identity the same as their sex observed and registered at birth compared to 93.5 per cent in England and Wales. Just over 5 per cent chose not to respond. The remaining 0.5 per cent (1,221) have a gender identity different from their sex observed and registered at birth. This is identical to the England and Wales rate.</p> <p>Plymouth does not hold any precise data in relation to those who are alcohol-addicted street drinkers who have a gender identity the same as their sex observed and registered at birth.</p>	There is no anticipated adverse impact of the PSPO linked with gender reassignment. The process of enforcing the PSPO is solely focussed on the prohibitions in the order, which is ASB linked to the consumption of alcohol in public spaces.	n/a	n/a
<b>Marriage and civil partnership</b>	<p>40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married.</p> <p>0.49 per cent of residents are, or were, married or in a civil partnerships of the same sex. 0.06 per cent of residents are in a civil partnerships with the opposite sex (2021 Census).</p>	There is no anticipated adverse impact of the PSPO linked with marriage or civil partnership status. The process of enforcing the PSPO is solely focussed on the prohibitions in the order, which is ASB linked to the consumption of alcohol in public spaces.	n/a	n/a

	<p>Plymouth does not hold any precise data in relation to the marriage or civil partnership status of those who are alcohol-addicted street drinkers.</p>			
<p><b>Pregnancy and maternity</b></p>	<p>The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.</p> <p>Plymouth does not hold any precise data in relation to the pregnancy or maternity status of those who are alcohol-addicted street drinkers.</p>	<p>There is no anticipated adverse impact of the PSPO linked with pregnancy or maternity status. The process of enforcing the PSPO is solely focussed on the prohibitions in the order, which is ASB linked to the consumption of alcohol in public spaces.</p> <p>However, the PSPO will have a positive impact as it provides opportunities for those who may be pregnant and dependent on alcohol to be referred into appropriate support mechanisms or safeguarded.</p>	<p>n/a</p>	<p>n/a</p>

<b>Race</b>	<p>In 2021, 94.9 per cent of Plymouth's population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census)</p> <p>People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census)</p> <p>92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).</p> <p>Plymouth does not hold any precise data in relation to the race of those who are alcohol-addicted street drinkers.</p>	<p>There could be an adverse impact on those who do not speak English as their main language as they may not be aware, or understand, the terms of the PSPO. Should they refuse to stop drinking or hand over their alcohol, they would be in breach of the PSPO - which is a criminal offence - but this may be because they do not understand what the authorised officer is saying.</p>	<p>Training will be provided to Police and PARC Officers in relation to dealing with situations where a person does not understand English. Police have access to interpretation services. PARC can take a person's details so PCC can provide further follow-up or call Police for assistance. PCC will work with partner agencies to ensure those who do not speak or understand English, can have the terms of the PSPO fully explained to them.</p>	<p>Community Connections – as required</p>
<b>Religion or belief</b>	<p>48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census).</p> <p>Those who identified as Muslim account for 1.3 per cent of Plymouth's population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).</p>	<p>There is no anticipated adverse impact of the PSPO linked with a person's religion or belief. The process of enforcing the PSPO is solely focussed on the prohibitions in the order, which is ASB linked to the consumption of alcohol in public spaces.</p>	<p>n/a</p>	<p>n/a</p>
<b>Sex</b>	<p>51 per cent of our population are women and 49 per cent are men (2021 Census).</p> <p>Plymouth does not hold any precise data in relation to the sex of those who are alcohol-</p>	<p>There is no anticipated adverse impact of the PSPO linked with a person's sex. The process of enforcing the</p>	<p>n/a</p>	<p>n/a</p>

	<p>addicted street drinkers. However, data from a Plymouth partnership seeking to address issues of street drinking, homelessness and begging show there are currently 12 males and 7 females open to services.</p> <p>National data indicates that men are more likely to drink alcohol than women.</p>	<p>PSPO is solely focussed on the prohibitions in the order, which is ASB linked to the consumption of alcohol in public spaces.</p>		
<b>Sexual orientation</b>	<p>88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).</p> <p>Plymouth does not hold any precise data in relation to the sexual orientation of those who are alcohol-addicted street drinkers.</p>	<p>There is no anticipated adverse impact of the PSPO linked with a person's sexual orientation. The process of enforcing the PSPO is solely focussed on the prohibitions in the order, which is ASB linked to the consumption of alcohol in public spaces.</p>	n/a	n/a

**SECTION FOUR: HUMAN RIGHTS IMPLICATIONS**

<b>Human Rights</b>	<b>Implications</b>	<b>Mitigation Actions</b>	<b>Timescale and responsible department</b>
	<p>The following articles of the Human Rights Act 1998 have been considered:</p> <p><b>Article 1: Protection of Property</b></p> <p>Point to be considered:</p> <p>Every natural or legal person is entitled to the peaceful enjoyment of his</p>	<p>The removal of a container of alcohol will deprive a person of his possession. However, alcohol is only removed when its use is impacting upon others' right to have peaceful enjoyment of the local area. Prevention of crime,</p>	n/a



	<p>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> <p><b>Article 8: Right to respect for private and family life</b></p> <p>Point to be considered:</p> <p>8.2 There 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>disorder and anti-social behaviour is in the public interest. The ASB, Crime and Policing Act 2014 provides the legislative framework for this.</p> <p>The removal of a container of alcohol from a person within a public space may remove their right to a public and private life. However, alcohol is only removed when its use is impacting upon others' right to have peaceful enjoyment of the local area and is necessary for the prevention of crime or disorder. The ASB, Crime and Policing Act 2014 provides the legislative framework for this.</p>	
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**SECTION FIVE: OUR EQUALITY OBJECTIVES**

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
<b>Celebrate diversity and ensure that Plymouth is a welcoming city.</b>	The PSPO will have a positive impact on helping to Plymouth to be a welcoming city.	n/a	n/a

<b>Pay equality for women, and staff with disabilities in our workforce.</b>	No implications	n/a	n/a
<b>Supporting our workforce through the implementation of Our People Strategy 2020 – 2024</b>	No implications	n/a	n/a
<b>Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.</b>	The PSPO will help to reduce incidents of all crime in the city, including hate crime	n/a	n/a
<b>Plymouth is a city where people from different backgrounds get along well.</b>	No implications	n/a	n/a