

# Equality Impact Assessment:

## Initial assessment

### What are the proposed outcomes of the policy?

The extended Millfield, New England, Eastfield and Embankment Public Spaces Protection Order (PSPO) 2024 is a continuation of an existing council Order. The Millfield, New England, Eastfield and Embankment PSPO was implemented on 5<sup>th</sup> October 2021 for a three years. Following a review of enforcement data as well as crime and ASB figures for the Millfield, New England, Eastfield and Embankment area, the local authority has carried out the necessary consultation with statutory consultees, key interested parties and the public regarding its proposal to extend the order for a further 3 years.

As a result of the positive responses to the consultation, Peterborough City Council is seeking Cabinet Member for Housing and Communities, Cllr Alison Jones, to authorise the extension and variation of the Millfield, New England, Eastfield and Embankment Public Spaces Protection Order for a further 3 years.

The Millfield, New England, Eastfield and Embankment PSPO comprises the following conditions:

1. Persons within the designated area, on the request of a Police Constable, Police Community Support Officer or an authorised Council Officer are to comply with the request to dispose of or surrender any open containers of alcohol in their possession or disperse from the immediate location and not return within 6 hrs, unless for a lawful reason. Persons dispersed from the immediate location may remain within the designated area for lawful purposes.
2. No urination and/or defecation in a public place other than within designated public toilets.
3. Any individual is to disperse from the immediate location and not return within 6 hrs, unless for a lawful reason, if requested to do so by a Police Constable, Police Community Support Officer or an authorised Council Officer if the officer is of the opinion that the individual is causing harassment, alarm or distress. Persons dispersed from the immediate location may remain within the designated area for lawful purposes.
4. No littering or spitting. It is an offence to throw down, drop or otherwise deposit and then leave, litter in any place in the open air in the defined area.
5. It is an offence under this order for any individual(s) to commit anti social behaviour, as defined by Section 2 of the 2014 Act by conduct that has caused, or is likely to cause, harassment, alarm or distress to any person(s) . Examples may include: use of offensive or abusive language, acting in an aggressive manner.
6. Persons within Stanley Recreation Ground, Stanley Road, Crawthorne Road, Brook Street car park, Broadway (from its junction with Northminster and up to Crawthorne Rd and Burghley Square junction), Fitzwilliam Street, Church Walk (from Stanley Recreation Ground up to junction with Park Road) and Park Road (from Junction with Fitzwilliam Street and up to an including junction with Burghley Square) as defined in the map outlined in red are prohibited to consume alcohol or be in possession of an open vessel containing alcohol, other than on licensed premises, where a Temporary Event Notice is in operation in accordance with the Licensing Act 2003, or where there are any other authorisation i.e. Pavement Licence.
7. Adults are prohibited from being present in a designated children's playground area unless they are accompanying a child of 14 or under, unless the person using the play equipment/park requires the attention of a recognised carer or they are present in an official capacity or with lawful excuse.

The following condition is being proposed in response to comments received from the consultation:

8. No begging within 10 metres of a cash or payment machine or begging in a manner which is aggressive or intimidating or is likely to cause someone to feel harassed, alarmed or distressed.

**Which individuals or groups are most likely to be affected?**

The Millfield, New England, Eastfield and Embankment PSPO conditions and enforcement of these is indiscriminate. It is not anticipated that any individuals or groups having any protected characteristic as defined by the Equality Act 2010 will be disproportionately affected. The implementation of the order may affect those with protected characteristics if they are considered to have committed a breach; however the legislation does allow reasonable excuse which enables officers to exercise discretion before issuing a Fixed Penalty Notice.

The council maintains its decision not to enforce the Millfield, New England, Eastfield and Embankment PSPO by issuing Fixed Penalty Notices to anyone who is homeless and has no source of income. Alternatively, officers will engage with individuals and refer and signpost them to support services. If the individual does not engage with support services and persists in breaching the PSPO conditions, alternative interventions will be considered which can positively require individuals to access support services as well as impose conditions. These may include Community Protection Warnings and Notices, Civil Injunctions or Criminal Behaviour Orders.

In accordance with Section 67 (1)(a) and (b) of the ASB, Crime and Policing Act 2014, any individual who considers themselves to be have a reasonable excuse to defend the breach of the Millfield, New England, Eastfield and Embankment PSPO can either explain this to the officer at the time of the offence to allow officers to use their discretion, or by explaining this via the Fixed Penalty Notice appeals process.

**Now consider whether any of the following groups will be disproportionately affected:  
See Appendix B for further information**

<b>Equality Group</b>	<b>Note any positive or negative effects</b>
Particular age groups	Neutral – young people under the age of 18 will not receive Fixed Penalty Notices if they breach the PSPO. However, for those who persistently breach the order, their details may be taken and their parents/guardian notified.
Disabled people	Neutral – Local disability groups have been directly consulted regarding the proposal to re-implement the Millfield, New England, Eastfield and Embankment PSPO and no objections were received. This included organisations who represent the visually impaired who may not be able to access information regarding the order and conditions, such as on street signage and the PCC website.  As stated above, in accordance with Section 67 (1)(a) and (b) of the ASB, Crime & Policing Act 2014 - any individual who considers themselves to be have a

	reasonable excuse to defend the breach of the City Centre PSPO can either explain this to the officer at the time of the offence to allow officers to use their discretion; or by explaining this via the Fixed Penalty Notice appeals process.
Married couples or those entered into a civil partnership	Neutral.
Pregnant women or women on maternity leave	Neutral
Particular ethnic groups	Neutral
Those of a particular religion or who hold a particular belief	Neutral
Male/Female	Neutral
Those proposing to undergo, currently undergoing or who have undergone gender reassignment	Neutral
Sexual orientation	Neutral

**What information is available to help you understand the effect this will have on the groups identified above?**

Not applicable.

**Who will be the beneficiaries of the policy?**

People who live, work or visit the Millfield, New England, Eastfield and Embankment area will benefit from the Public Spaces Protection Order. The sole aims of the order are to increase public safety and to tackle quality of life issues in the Millfield, New England, Eastfield and Embankment area.

**Has the policy been explained to those it might affect directly or indirectly?**

A public consultation was carried out from 8<sup>th</sup> July 2024 to 4<sup>th</sup> August 2024 and was publicised via a press release, local press, social media, and the council's website. Key interested parties such as local disability groups have been directly consulted regarding the proposal to extend the Millfield, New England, Eastfield and Embankment PSPO, and no objections were received. This included organisations who represent the visually impaired who may not be able to access information regarding the order and conditions such as on street signage and the PCC website.

**Can any differences be justified as appropriate or necessary?**

Not applicable.


**Are any remedial actions required?**

No.

**Once implemented, how will you monitor the actual impact?**

Ongoing monitoring will be conducted via regular reviews of enforcement activity, officer conduct via 1-2-1s, complaints, FPN appeals as well as general feedback from the public or any organisations representing those who have protected characteristics.

The Order will be reviewed every 3 years in accordance with the Act and statutory guidance, or sooner should the need arise.

<b>Policy review date</b>	August 2027
<b>Assessment completed by</b>	Laura Kelsey
<b>Date Initial EqlA completed</b>	16 August 2024
<b>Signed by Head of Service</b> 23/08/2024	

## Appendix C

### Describing a policy area, strand or programme

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Write a summary of the policy, bearing in mind that what you write is a public document, not a file note for yourself or an internal memo for colleagues.

It follows that people reading the description will not necessarily be familiar with educational acronyms and abbreviations. All acronyms and abbreviations should therefore be spelled out in full the first time they are used.

Although they may not be specialists in your area of expertise, the people reading the description may well have specialist knowledge relating to equality issues. Your purpose, in these paragraphs about your policy, is to provide such people with sufficient preliminary information for them to follow the discussion that will follow.

You probably do not need to write more than about 300 words altogether – three or four short paragraphs.

Other things being equal, it will be appropriate to outline the following:

- the policy's rationale and purposes
- how it operates, or will operate, in practice
- the historical background, for example when it began or will begin, and reference to any pilots or trials
- how the policy fits in with other policies, for example whether it is a strand within a larger policy area
- an indication of the size of the budget
- sources of further information.

With regard to sources of further information, please make sure you give sufficient details for them to be easily followed up – paragraph or page references within a document, and URLs for documents that can be accessed online.

### Types and sources of evidence

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An EqIA should name, with full bibliographical details as appropriate, the principal sources of relevant evidence which have been consulted. The principal types of relevant evidence are summarised below.

Please note that the word 'evidence' is used here in the broad sense. There are many kinds of evidence, that is to say, ranging from substantial academic research to accounts of

personal experience and viewpoint by individuals and groups.

It is relevant to note and use the familiar distinction between quantitative evidence and qualitative. The term **quantitative** refers to a type of information based in quantities or else quantifiable data (objective properties) —as opposed to **qualitative** information which deals with apparent qualities (subjective properties). There are further notes on the distinction below.

### Quantitative evidence

Quantitative evidence is mostly about relative levels of participation, involvement and take-up, or else about outcomes, successes and failures.

Quantitative evidence is derived from administrative data collected, for example, from local authority returns, census data etc.

In addition to quantitative evidence about participation and outcomes, it may be relevant to cite also the results of opinion surveys of various kinds.

### Qualitative evidence

The principal **types** of qualitative evidence include:

- case studies and project evaluations
- literature reviews
- interviews and focus groups i.e. statements of concern and opinion from stakeholders
- inspection reports
- views, proposals, recommendations and good practice guides
- responses to Green Papers and White Papers
- responses to draft equality impact assessments.

The principal **authors** of qualitative evidence include:

- research centres and units based in universities (academic research)
- specialist consultancy organisations
- the three equality commissions (CRE, DRC and EOC) and, more recently, the Equality and Human Rights Commission (EHRC)
- other government departments
- interest and advocacy groups, including trade unions and professional associations, specialist organisations, and associations and alliances representing concerns around any of the protected characteristics.

## What the evidence shows

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This should detail:-

- which diverse groups have been identified as being disadvantaged by the proposals together
- what consultation has taken place
- a summary of the negative impacts
- the proposed changes as a result of the research and or consultation
- whether the changes to the policy lower the negative impact
- whether the changes provide opportunities to promote equality of opportunity and improve relations between diverse groups?

## Summarising an assessment of impact

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In the light of evidence make an assessment.

We suggest you copy and paste one of the following statements into your document, and then expand and explain it as appropriate.

- A. A positive impact is explicitly intended and very likely.
- B. An adverse impact is unlikely, and on the contrary the policy has the clear potential to have a positive impact by reducing and removing barriers and inequalities that currently exist.
- C. An adverse impact is unlikely. On the contrary there is potential to reduce barriers and inequalities that currently exist. There is insufficient evidence, however, for this assessment to be made with as much confidence as is desirable.
- D. Adverse impact is unlikely, but positive impact is also unlikely.
- E. Adverse impact is probable or certain, since certain groups will be disadvantaged, either proportionately or absolutely, or both. Remedial action is therefore necessary.
- F. Adverse impact is probable or certain for certain groups but the policy as a whole can nevertheless be justified.

### **PLEASE NOTE**

If you select the last of these assessments it will be necessary to obtain legal advice.

## Next steps

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An EqIA should conclude by indicating clearly the ways in which it will be followed up and kept under review i.e. progress detailed in a project plan, objectives set in an employees PDR/appraisal etc.

So far as is appropriate, the statements about next steps should reflect SMART principles – the measures should be:

- specific
- measurable
- achievable
- realistic
- time-bound

The statement of next steps should also emphasise the equality impact assessment as a whole is a living document and that, accordingly, it will be revised and updated, as appropriate, in the light of further evidence, discussions and representations.

You are likely to mention some or all of the following:

- plans that are already under way or under active consideration to address challenges and priorities you have highlighted
- arrangements for monitoring, and for periodic reports to certain groups
- arrangements for ensuring that monitoring systems are in place to ensure regular checks are undertaken on the effects of the policy
- arrangements for ensuring that evaluations of any pilot projects take account of the concerns and discussions outlined in your assessment
- arrangements for discussing with other agencies and regulatory bodies the scope for taking account of the concerns and discussions in your assessment
- arrangements for ensuring that your assessment is brought to the attention of all relevant colleagues, and in this contributing to reviews of the Department's single equality scheme
- arrangements for disseminating information about your assessment to local authorities and other stakeholders
- arrangements for improving the information base
- intentions for drawing up a detailed action plan.



## **EQUALITY IMPACT ASSESSMENT PROCESS - MANAGERS GUIDELINES**

### **References:**

Race Relations Amendment Act (2000)

<b>Initial issue Date:</b>	2 December 2010
<b>Issue date of revised version:</b>	February 2017
<b>Version Number:</b>	3
<b>Review Due Date:</b>	May 2019

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## Document control sheet

<b>Purpose of document</b>	These guidelines are to provide helpful information to assist managers in undertaking Equality Impact Assessments
<b>Type of document</b>	Guidance
<b>Document checked by Legal</b>	Not applicable
<b>If applicable, has an initial Equality Impact assessment (EIA) been completed?</b>	Not applicable
<b>Document Lead and Author</b>	Karen Craig
<b>Dissemination</b>	All new and updated policies and procedures are notified to entire workforce via insite and a variation letter. Policies are also submitted to City College, EPM and Serco. All documents are also posted onto the Employee Information pages of the intranet.
<b>What other documents should be read in conjunction with</b>	Document listed in this guidance
<b>Who will review the document (job title)</b>	Senior Reward Advisor
<b>Why is this document being reviewed</b>	Annual review

## Revisions

<b>Version No.</b>	<b>Page/Paragraph No.</b>	<b>Description of amendment</b>	<b>Date approved</b>
2	Page 1 and 6	Email address updated	February 2017
3	N/A	No changes made	October 2018