

Equality Impact Assessment

This document is intended to act as a guide and point of reference, rather than be a template. There is no requirement to use this document as part of the policy development or decision making process; although it may help.

When using this form, please feel free to enter as much or as little information as you feel is appropriate.

Name		Date	
Job title			
What are you thinking of changing or implementing?			
<p>The Anti-Social Behaviour Crime and Policing Act 2014, which came into force in October 2014, brought in new powers to allow Local Authorities to better tackle anti-social behaviour in their area. One of these powers was the ability to make a Public Spaces Protection Order (PSPO).</p> <p>Following representations by the police, shopkeepers, residents and members of the public regarding anti-social behaviour in the town centre, the Council's community safety team decided that it should consider using the powers granted to it under new legislation.</p> <p>Begging is an offence under the Vagrancy Act 1824 but this legislation does not provide an effective deterrent to those who engage in this activity, with courts often imposing the minimum fine.</p> <p>Drinking alcohol in public, in the town centre, is currently restricted by a Designated Public Places Order (DPPO). This was created under previous legalisation and will expire in 2017.</p> <p>The Council is proposing to introduce a Public Spaces Protection Order to control street drinking, drug taking, persistent begging and rough sleeping. It is proposed for the area known as Fareham Town Centre and is shown on the map in Appendix B of the report. This area has been identified as a result of increased incidents of anti-social behaviour associated with street drinking, taking of drugs and begging. Potential displacement of the issues will be continually monitored to ensure that other areas do not see the problems migrating as a result of action being taken within the Town Centre.</p> <p>These measures will make it, an offence, in Fareham town centre, to fail to comply with a request, by an authorised officer, to cease drinking, surrender alcohol, cease using drugs, or to cease begging aggressively. The new measures will not make it an offence to drink alcohol, beg or sleep rough the town centre.</p> <p>The order provides a power of confiscation and disposal of substances, plus a police power of arrest for should an individual fail to comply with directions. Failure to comply can lead to prosecution or the issuing of a fixed penalty notice, with a maximum fine of £100. These discretionary powers will allow authorised officers to take positive action where appropriate and prevent disorder. The alcohol, drug consumption or begging must be associated with anti-social or disorderly behaviour or the belief that such behaviour may occur for the powers to be used.</p>			

What is the expected or anticipated impact of this change?

The Council works closely with support agencies. It is recognised that there needs to be support for those who have problems of substance misuse and homelessness and the council and police will continue to work with charities and substance misuse and housing services to try and help those in need.

The issues are monitored on a daily basis through 101 call data, partnership working between Two Saints, Police, Fareham Borough Council Community Safety Team and the Car Parks Manager. The issue is further monitored and evaluated at the fortnightly Tactical Planning Meeting and the monthly the multi-agency Fareham Partnership Action Group. The support needs of individuals are considered including their housing situation, physical and mental health needs. Their offending behaviour is assessed and an appropriate plan put in place to provide them with support.

Where engagement with the large number of local support services fails, enforcement action may be taken as determined by the panel. This approach balances the needs of the individual, principally substance misuse, physical and mental health concerns, with the need to tackle anti-social behaviour, respond effectively to complaints from the public and take action against illegal activities.

Prohibitions on behaviours that affect clients with complex physical and mental health needs are mitigated through access to appropriate services, with trained staff skilled at dealing with the needs of the client group.

All cases will be dealt with on their individual merits and the PSPO has written into it the test of "reasonable excuse", providing an exemption from the order if the excuse for the behaviour is reasonable.

It is the intention of the extra powers, provided by the PSPO, will help improve the quality of life within the town centre.

Protected characteristic: Age (including children and young people)

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

All ages of vulnerability will be referred into safeguarding mechanisms using each agency's safeguarding processes. The fortnightly Tactical Planning Meetings and monthly Partnership Action Group will discuss and provide support and single points of contact to anyone on the vulnerability tracker or nominal tracker.

Protected characteristic: Disability (including physical and those with mental health conditions)

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?

- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

Mental health considerations will be taken into account by officers when assessing individual cases.

Protected characteristic: Gender reassignment

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.

Protected characteristic: Marriage and civil partnership

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.

Protected characteristic: Pregnancy and maternity

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

Pregnant women will be referred into safeguarding mechanisms to Hampshire County Council to have an initial assessment and then offer of support.

Protected characteristic: Race

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.

Protected characteristic: Religion or belief

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.

Protected characteristic: Sex

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.

Protected characteristic: Sexual orientation

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.

Poverty

Begging (and street drinking) can have ties with poverty, with individuals engaging in begging due to insufficient access to financial resources. Engagement with stakeholders has shown that persons engaged in begging and street drinking have access to a range of support services including homelessness advice and access to accommodation. Enforcement of the PSPO will include officers directing individuals to support services available locally. The Council are working in partnership with local homeless charities, Two Saints and the Department for Work and Pensions in supporting people with financial issues.