

Equality Impact Assessment

Please complete this template using the [Equality Impact Assessment Guidance document](#)

Version 4: January 2019

Title of proposal <i>(include forward plan reference if available)</i>	Implementation of 2 Boroughwide Public Space Protection Orders in relation to Alcohol and Dog Fouling
Directorate and Service Area	Housing & Communities – Community Safety & Resilience
Name and title of Lead Officer completing this EIA	Tessa Mitchell – Business Manager Community Safety & Resilience
Contact Details	tessa_mitchell@sandwell.gov.uk 077721 110645
Names and titles of other officers involved in completing this EIA	
Partners involved with the EIA where jointly completed	
Date EIA completed	15th January 2021
Date EIA signed off or agreed by Director or Executive Director	
Name of Director or Executive Director signing off EIA	Alan Caddick – Director of Housing & Communities
Date EIA considered by Cabinet Member	

See [Equality Impact Assessment Guidance](#) for key prompts that must be addressed for all questions

1. The purpose of the proposal or decision required (Please provide as much information as possible)

Sandwell has long had a number of prohibitions in place in relation to alcohol consumption in public places and dog fouling. Originally these were a Designated Public Place Order and 3 Dog Control Orders which under the transitional arrangements of the Anti-Social Behaviour Crime and Policing Act 2014 automatically became Public Space Protections Orders (PSPOs). These last for 3 years and then have to be reviewed. This review started in October 2020 and has involved a review of enforcement and engagement undertaken in relation to the PSPOs and a public consultation, including statutory and voluntary partners.

2. Evidence used/considered

In October 2020 Sandwell had 4 PSPOs in place across the Borough which needed reviewing. 1 of these related to alcohol consumption in public places and 3 to dogs. On reviewing the engagement and enforcement data available it became apparent that 2 of the Dog related PSPOs were not being used. PSPO legislation requires a need to be demonstrated and that a PSPO is a proportionate requirement. For these 2 PSPOs it was agreed that that was not the case and decided not to proceed with these.

However in relation to dog fouling, figures showed that this is continuing to be utilised with 20 Fixed Penalty Notices being issued during the past three years and numerous opportunities taken to engage with dog owners to promote responsible dog ownership and public health messages.

In relation to the alcohol one it was found that this had resulted in 45 Fixed Penalty Notices being issued over the past three years and in significant engagement opportunities with young people, street drinkers and those who were begging and / or homeless to offer significant help and support. The Alcohol PSPO also works in tandem in West Bromwich with the Town Centre PSPO which specifically covers:

- *Acting or inciting others to act in a manner that causes, or is likely to cause, harassment alarm or distress to any person.*
- *Threatening any person with violence and /or being verbally abusive towards any person.*
- *Begging or asking members of the public for money or loitering for the purpose of begging or asking members of the public for money.*
- *Causing a motor vehicle or trailer to stand on a road and /or footpath so as to cause any unnecessary obstruction of the road and /or footpath.*

3. Consultation

In line with PSPO Guidance, formal consultations have been undertaken in relation to both these PSPOs. Both took place between 16th November 2020 and 8th January 2021. These were advertised on SMBCs website, via social media, in The Sandwell Herald in December and in The Express and Star. Notification of the consultations were also sent to statutory consultees and interested parties as follows:

West Midlands Police	West Midlands Fire Service
West Midlands Police & Crime Commissioner	West Midlands Ambulance Service
SMBC Public Health	DECCA (Alcohol only)
Cranstoun (Alcohol only)	CENTRO
The Kennel Club (Dogs only)	The Ramblers (Dogs only)

Responses to both consultations were low but overwhelmingly supportive as detailed below:

Dogs: Are you in favour of the proposed PSPO?

Yes	100%	(19/19)
-----	------	---------

Alcohol : Are you in favour of the proposed PSPO?

Yes	86%	(12/14)
No	7%	(1/14)
Unsure	7%	(1/14)

It is clear from those who did take the time to respond that both issues remain current concerns across the Borough and there is support for the PSPOs to be implemented as part of a toolkit of measures to address these concerns.

4. Assess likely impact

Please give an outline of the overall impact if possible.

These are Boroughwide proposals and the starting point with any individual wherever possible is engagement, education and support. However where this is not possible or does not work the PSPOs provide an enforcement option to help people consider others and their actions.

Please complete the table below at 4a to identify the likely impact on specific protected characteristics

4a. Use the table to show:

- Where you think that the strategy, project or policy could have a negative impact on any of the equality strands (protected characteristics), that is it could disadvantage them or if there is no impact, please note the evidence and/or reasons for this.
- Where you think that the strategy, project or policy could have a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relationships within equality characteristics.

Protected Characteristic	Positive Impact	Negative Impact	No Impact	Reason and evidence (Provide details of specific groups affected even for no impact and where negative impact has been identified what mitigating actions can we take?)
	✓	✓	✓	
Age			✓	There is no evidence that either PSPO impacts more negatively on any age group over and above another
Disability			✓	The Kennel Club highlighted the potential negative impact of the Dog Fouling PSPO on some assistance dogs such as guide dogs. This concern will be mitigated through highlighting assistance dogs in the order and ensuring those enforcing the order understand this.

Gender reassignment			✓	There is no evidence that either PSPO would impact more negatively on this group than on others.
Marriage and civil partnership			✓	There is no evidence that either PSPO would impact more negatively on this group than on others
Pregnancy and maternity	✓			Both PSPOs support health considerations that specifically apply to those who are pregnant and therefore could positively impact on this group.
Race			✓	There is no evidence that either PSPO would impact more negatively on one group more than on others
Religion or belief			✓	There is no evidence that either PSPO would impact more negatively on one group more than on others

Sex			✓	There is no evidence that either PSPO would impact more negatively on one group more than on others
Sexual orientation			✓	There is no evidence that either PSPO would impact more negatively on one group more than on others
Other			✓	

Does this EIA require a full impact assessment? No

If there are no adverse impacts or any issues of concern or you can adequately explain or justify them, then you do not need to go any further. You have completed the screening stage. You must, however, complete sections 7 and 9 and publish the EIA as it stands.

If you have answered yes to the above, please complete the questions below referring to the guidance document.

5. What actions can be taken to mitigate any adverse impacts?

6. As a result of the EIA what decision or actions are being proposed in relation to the original proposals?

7. Monitoring arrangements

8. Action planning

You may wish to use the action plan template below

9. Publish the EIA

Where can I get additional information, advice and guidance?

In the first instance, please consult the accompanying guide “Equality Impact Assessment Guidance”

Practical advice, guidance and support

Help and advice on undertaking an EIA or receiving training related to equalities legislation and EIAs is available to **all managers** across the council from officers within Service Improvement. The officers within Service Improvement will also provide overview quality assurance checks on completed EIA documents.

Please contact:

Kashmir Singh - 0121 569 3828