

Equality Impact Assessment / Equality Analysis

Title of service or policy	Designated Public Places Order to control street drinking in Midsomer Norton
Name of directorate and service	Resources and Support Services, Policy & Partnerships, Community Safety
Name and role of officers completing the EIA	Lores Savine, Community Safety Officer
Date of assessment	December 2012

Equality Impact Assessment (or 'Equality Analysis') is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The primary concern is to identify any discriminatory or negative consequences for a particular group or sector of the community. Equality impact Assessments (EqIAs) can be carried out in relation to service delivery as well as employment policies and strategies.

This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EqIA) or Equality Analysis on a policy, service or function. It is intended that this is used as a working document throughout the process, with a final version including the action plan section being published on the Council's and NHS Bath and North East Somerset's websites

1. Identify the aims of the policy or service and how it is implemented.		
	Key questions	Answers / Notes
1.1	<p>Briefly describe purpose of the service/policy including</p> <ul style="list-style-type: none"> • How the service/policy is delivered and by whom • If responsibility for its implementation is shared with other departments or organisations • Intended outcomes 	<p>In 2011, in the true spirit of Localism Midsomer Norton Town Council working with officers from Bath and North East Somerset Council formed a local Community Alcohol Partnership (CAP). The CAP was set up in response to concerns voiced by local people about alcohol fuelled anti-social behaviour.</p> <p>Through a process of consultation with key stakeholders, including local community and licensed premises, CAP enabled discussions concerning the feasibility of putting in place arrangements to restrict the consumption of alcohol in designated public places in Midsomer Norton.</p> <p>Sections 12 to 16 of the Criminal Justice and Police Act 2001 enables local authorities to introduce a Designated Public Place Order (DPPO). This power is not intended to lead to a ban on drinking in a designated public place. It sets out to restrict alcohol within identified hotspot areas. The Act also provides the police or other accredited persons with the power to enforce this restriction</p> <p>The aim of these powers is to reduce the incidence of alcohol related nuisance and antisocial behaviour by giving the Police or accredited person the power to intervene at an early stage where there is a risk of antisocial behaviour. Importantly with the intention of preventing problems escalating and dealing with incidents before any criminal offences are committed. Under this legislation the Police or accredited person is empowered to seize and dispose of alcohol which is in an open or closed container. Failure to comply with such a request made by a police officer is an arrestable offence punishable by a fine.</p>

		<p>This order will not be used to remove alcohol from those enjoying a peaceful drink. The purpose is to ensure that Midsomer Norton is a safer more pleasant place for visitors and local residents and not to prevent law abiding people from enjoying themselves.</p> <p>This proposal has the full support of all partners involved in the CAP, these include the police, youth service, licensing and of course community representatives.</p>
1.2	<p>Provide brief details of the scope of the policy or service being reviewed, for example:</p> <ul style="list-style-type: none"> • Is it a new service/policy or review of an existing one? • Is it a national requirement?). • How much room for review is there? 	<p>In England, sections 12 to 16 of the Criminal Justice and Police Act 2001 gives local authorities the power to make a designation order. Bath has a DPPO which has been in place since 2004. In granting the order the Council stated that at that time there was little support for proposals to introduce DPPOs in Keynsham, Radstock and Midsomer Norton. However it was agreed that:</p> <p><i>'The Council is asked to advise Parish and Town Councils that they may seek designation at any future time if there is evidence of alcohol related antisocial behaviour involving adults and if the Police are in favour of designating a particular area.'</i></p> <p>The Home Office document 'Guidance on Designated Public Place Orders' advises that it would be good practice to review the DPPO at least every two years. In Midsomer Norton the CAP would review the DPPO after twelve months have elapsed. The aim of the evaluation is to find out whether:</p> <ul style="list-style-type: none"> • the DPPO has stopped/helped to reduce alcohol-related anti-social behaviour/disorder. If it has • the DPPO still required? • the area covered by the DPPO need to be reviewed? • And to develop a clearer picture of who the main perpetrators are <p>Under section 13 (3) of the Criminal Justice and Police Act 2001, local authorities have the power to revoke a DPPO. Only once a process of consultation and publicity has been completed. Any local authority which revokes a DPPO must notify the Home Office.</p>
1.3	<p>Do the aims of this policy link to or conflict with any other policies of the Council?</p>	<p>The introduction of a DPPO in Midsomer Norton supports the Council's aim to encourage localism. It further supports the Alcohol Strategy and the Community Safety Partnership Plan in particular its aims of addressing anti-social behaviour and supporting the night time economy.</p>

2. Consideration of available data, research and information		
Monitoring data and other information should be used to help you analyse whether you are delivering a fair and equal service.		
	Key questions	Data, research and information that you can refer to
2.1	What is the equality profile of the team delivering the service/policy?	The Team is made up of 2 staff, with such a small number description of equality characteristics would not be appropriate
2.2	What equality training have staff received?	Members of the Community Safety team have undergone equality refresher training and briefings on writing equality analysis within the last 3 years.
2.3	What is the equality profile of service users?	<p>This EqIA concerns the introduction of a legal power rather than a service there are no service users as such. However the DPPO is intended to have positive impact on community life in Midsomer Norton as it aims to reduce anti-social behaviour related to street drinking. It is not designed to target any specific sections of the community but be of benefit to all who use the Town's entertainment facilities.</p> <p>The proposal will benefit law abiding residents but will also benefit those who may look to engage in ASB, especially, on weekend nights. As it will empower the police and accredited persons to 'nip alcohol fuelled incidents in the bud' with a potential to reduce the need for arrests and reduce the level of violence.</p>
2.4	What other data do you have in terms of service users or staff? (e.g results of customer satisfaction surveys, consultation findings). Are there any gaps?	<p>Midsomer Norton Town Council made an election pledge to address alcohol related nuisance within the Town. At that time a ban was identified as a one of the possible tools for addressing the problem. Although there was wide spread support for a ban or the DPPO the CAP group wanted to develop a robust and overarching approach to the problems. The first steps in achieving this were to develop a partnership action plan, based on statistics and data held by partner agencies and the results of community consultation.</p> <p>Throughout the development of the action plan the CAP has worked hard to continually update its understanding of the needs and concerns of the people who live in, work in or visit the Town and to review the impact of the action plan. It is clear that the DPPO has widespread appeal. CAP feels that as a structure is now in place (that is the CAP group and the Action Plan) it is confident that it has the means to manage, oversee and monitor the DPPO.</p>
2.5	What engagement or consultation has been undertaken as part of this	Police crime data highlights Friday and Saturday night as particularly problematic for ASB and street nuisance in and around the main entertainment area of the town. To

	EIA and with whom?	<p>further understand the effects of this and to ensure that areas of community concern are targeted specific consultation has been commissioned to enable local communities to highlight what they find problematic.</p> <p>Consultation has included a town survey, more specifically a widespread consultation with residents, traders and licensees to gage the feelings about the potential of introducing the DPPO.</p> <p>Methods used include:</p> <ul style="list-style-type: none"> • Town Survey • Online survey • Letters to key stakeholders including the Police and neighbouring parish councils. • Letters to licensees • Attendance and presentations at pub watch meetings • Two public meetings at the Town Hall <p>There was unanimous support for the introduction of the DPPO</p>	
3. Assessment of impact: 'Equality analysis'			
	<p>Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy:</p> <ul style="list-style-type: none"> • Meets any particular needs of equalities groups or helps promote equality in some way. • Could have a negative or adverse impact for any of the equalities groups 		
		Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
3.1	<p>Gender –women and men. Race –different ethnic groups Pregnancy&maternity. Transgender issues Disability</p>	<p>The CAP Action Plan has three key aims, Education, Enforcement and Public Perception.</p> <p>Measures such as DPPO, a pilot street marshal scheme and a specific focus on the operation of licensed premises have been developed under the enforcement heading.</p>	<p>Individuals of either gender engaged involved in or who are considered likely to engage in anti-social behaviour and who have alcohol on them, who may or may not be drinking that alcohol, may be asked to</p>

	<p>(consideration for both physical and mental impairment).</p> <p>Sexual orientation lesbians, gay, bisexual & heterosexual people</p> <p>Marriage and civil partnership –married & civil partnered people</p> <p>Religion/belief - different religious/faith groups and those with no religion.</p> <p>Socio-economically disadvantaged –factors like family background, educational attainment, neighbourhood, employment status influencing life chances</p> <p>Rural communities – people living in rural communities</p>	<p>A great deal has been done around public perception. For example the route of the walkabout mentioned above was planned in consultation with local residents. Representatives of local community groups were also involved in the walkabout (see below 3.2). They were thereby, able to witness for themselves that rather than the protagonists being underage those who were visibly drinking and unruly were almost exclusively adults.</p> <p>A number of public events have been organised, including an event at the local Sainsbury’s where discussions were held with shoppers and information about the CAP/DPPO was given out.</p> <p>Education, a continuing programme of work is in place, including training and resources for retailers to enable the reduction of underage and proxy sales. Work with the local schools, parents and cares to deliver and reinforce positive messages and to demonstrate their role in modelling healthy behaviours around alcohol.</p> <p>Also training has been provided to teachers to strengthen their ability to work appropriately with young people who may be engaged in underage drinking.</p>	<p>stop drinking and or to hand over the alcohol by a police officer or accredited person.</p> <p>An offence is only committed if the person in question refuses to comply with such a request from a police officer or accredited person</p> <p>Use of this legislation should assist in reducing the incidence and level of ASB within Midsomer Norton and reduce the likelihood that incidents of drink fuelled ASB could escalate into more serious offending.</p>
3.2	<p>Age –different age groups</p>	<p>Specific legislation is already in place which enables officers to challenge and remove alcohol from people under the age of 18 who are drinking or in possession of alcohol.</p> <p>Members of the CAP did a walkabout, of the area identified for the DPPO, on a Friday night in August. This was done between 5.30pm and 2am. Despite being advised that it had been an unusually quiet night they witnessed significant incidents of noise and nuisance and the behaviour of two discrete groups. The available data supports the view that there are two</p>	

		<p>distinctive groups using the area in question throughout any Friday or Saturday evening.</p> <p>(a) In the areas where the younger people congregated, primarily in and around the skate park, there was what can only be described as an excessive amount of litter most of it soft drinks and fast food containers, there was a small quantity of larger cans and bottles.</p> <p>The local police have identified some instances of underage drinking. However, it is believed that the young people mainly pre-load (that is drink at home before coming out) or are subject to proxy sales (that is they have alcohol supplied to them by older people who buy it on their behalf). There is, as said above legislation in place which enables the police to deal with underage drinking, and the supply of alcohol to young people under the age where they are legally entitled to drink. The DDPO is not intended to directly tackle their behaviour and as set out at 3.1 above a more educative or developmental approach is considered most beneficial in dealing with young people.</p> <p>The DPPO may assist to impact on proxy buying as alcohol could be confiscated in any instance where it is believed that it was being supplied to someone underage.</p> <p>(b) Where the DPPO should have the greatest impact is in dealing with the older group of drinkers. It is believed that this group is more likely to be in their 20's, 30's and significantly older.</p> <p>During the walkabout the CAP witnessed a number of people, both young men and women, mainly in their 20's and 30's leaving various licensed premises, singing and talking loudly</p>	
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		whilst carrying bottles or glasses of partly consumed drink, that appeared to be alcohol. Near the premises they visited the CAP also saw a number of discarded bottles and glasses.	
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4. Bath and North East Somerset Council & NHS B&NES Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions/targets should be measurable, achievable, realistic and time framed.

Issues identified	Actions required	Progress milestones	Officer responsible	By when
Gaps in data on who is likely to be subject to the actions	The findings of the street marshal pilot and police data to be reviewed	1st review end of February at the end of street marshal pilot	Community Safety officer/Police representative	February 2013
Reviewing success of the initiative	Consider agency data, using 2012 as baseline Repeat the walkabout		CAP	February 1014

5. Sign off and publishing

Once you have completed this form, it needs to be 'approved' by your Divisional Director or their nominated officer. Following this sign off, send a copy to the Equality Team (equality@bathnes.gov.uk), who will publish it on the Council's and/or NHS B&NES' website. Keep a copy for your own records.

Signed off by: David Trethewey (Divisional Director) **Date:** 4.1.2013