

# Equality Impact Assessment / Equality Analysis

(Updated December 2022)

Item name	Details
<b>Title of service or policy</b>	Public Space Protection Order to control street drinking (related to anti-social behaviour) in public open spaces in Bath and within the designated area of Midsomer Norton
<b>Name of directorate and service</b>	People and Change, Community Safety
<b>Name and role of officers completing the EIA</b>	Emily Patterson, Business Admin Apprentice, Inclusive Communities
<b>Date of assessment</b>	24.04.2024

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 main aim is to identify any discriminatory or negative consequences for a particular group or sector of the community, and also to identify areas where

equality can be better promoted. Equality impact Assessments (EIAs) can be carried out in relation to services provided to customers and residents as well as employment policies/strategies that relate to staffing matters.

This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EIA) or Equality Analysis. **Not all sections will be relevant – so leave blank any that are not applicable.** It is intended that this is used as a working document throughout the process, and a final version will be published on the Council’s website.

## 1.1 Identify the aims of the policy or service and how it is implemented

Key questions	Answers / notes
<p>1.1 Briefly describe purpose of the service/policy e.g.</p> <ul style="list-style-type: none"> <li>● How the service/policy is delivered and by whom</li> <li>● If responsibility for its implementation is shared with other departments or organisations</li> <li>● Intended outcomes</li> </ul>	<p>The Anti-social Behaviour, Crime and Policing Act 2014 created a range of new powers to deal with antisocial behaviour including the Public Spaces protection Order (PSPO).</p> <p><b>Purpose of a PSPO</b></p> <ul style="list-style-type: none"> <li>● Designed to stop people committing anti-social behaviour in a public space.</li> <li>● To address behaviour having or likely to have a detrimental effect on quality of life. The behaviour must be persistent or continuing in nature.</li> </ul>
<p>1.2 Provide brief details of the scope of the policy or service being reviewed, for example:</p> <ul style="list-style-type: none"> <li>● Is it a new service/policy or review of an existing one?</li> <li>● Is it a national requirement?).</li> <li>● How much room for review is there?</li> </ul>	<p>The current PSPOs in the City of Bath and a designated area of Midsomer Norton end in September 2023. A consultation will take place on new orders to employ the same terms and be applicable under the same circumstances. The current PSPO prohibits any person from having in their possession, care, or control in any Public Place within the Restricted Area alcohol where that person (i) is or has been consuming alcohol in any Public Place in the Restricted Area, or (ii) intends to consume alcohol in any Public Place in the Restricted Area; and is behaving in a way likely to cause, or where the authorised officer reasonably suspects will lead to, harassment, alarm or distress, or crime or disorder in the Restricted Area.</p>

	<p>Under the PSPO the police officer or accredited person is empowered to seize and dispose of alcohol which is in an open or closed container where the conditions above apply. Failure to comply with such a request made by a police officer is an arrestable offence punishable by a fine.</p> <p><b>Intended outcome:</b></p> <p>The main aim of the PSPOs is to reduce street drinking which local communities have raised as having a detrimental effect in their areas. The PSPOs would not constitute a ban on drinking alcohol in public but do allow a level of control where consuming alcohol is problematic and associated with antisocial behaviour.</p>
1.3 Do the aims of this policy link to or conflict with any other policies of the Council?	This links to the Corporate Strategy priority for “clean, safe and vibrant neighbourhoods”

## 2. Consideration of available data, research, and information

Key questions	Data, research, and information that you can refer to
2.1 What equalities training have staff received to enable them to understand the needs of our diverse community?	<ul style="list-style-type: none"> <li>• Avon and Somerset Police Inclusion and Diversity Plan 2019-2024.</li> <li>• Member of the National Equalities Standard (NES)</li> <li>• Disability Confident Employer</li> <li>• Corporate Equalities Training</li> </ul>
2.2 What is the equalities profile of service users?	The PSPO may be applied in a variety of settings. The police have not gathered data on the equalities make-up of the people who have been subject to the PSPO. This is because they do not set out to use the PSPO as a formal measure or to enforce action against individuals. It has been used as a tool to persuade people who are using alcohol to fuel antisocial behaviour

	<p>to give up or throw away the alcohol. The police are able to confiscate alcohol from people who may or are behaving in an anti-social manner.</p> <p>A further persuasive measure is that they can indicate the potential sanctions where people fail to comply with a lawful request to dispose of alcohol when asked to do so by a police officer.</p>
<p><b>2.3</b> Are there any recent customer satisfaction surveys to refer to? What were the results? Are there any gaps? Or differences in experience/outcomes?</p>	n/a
<p><b>2.4</b> What engagement or consultation has been undertaken as part of this EIA and with whom? What were the results?</p>	<p>Equality considerations are documented as part of the consultation process and the EIA is considered a working document and will be updated with relevant information gained from this process. A public consultation was conducted in 2021 to support the renewal of the then PSPO, overwhelmingly respondents supported the PSPO.</p>
<p><b>2.5</b> If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?</p>	<p>A public consultation will be conducted. All residents and stakeholders will have the opportunity to engage in the consultation process. The consultation process will assist in identifying any groups with shared protected characteristics which the PSPO may have a disproportionate impact on.</p> <p>We will ensure our consultation survey includes equality monitoring.</p> <p>Consultation materials and surveys will be available on request in a range of formats to accommodate different needs, such as large print and easy read.</p> <p>A dedicated team will be available to answer email and phone calls in support of digital exclusion and individual needs. The result of this consultation will influence the drafting of the Order.</p>

### 3. Assessment of impact: 'Equality analysis'

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:

- Meets any particular needs of equalities groups or could help promote equality in some way.
- Could have a negative or adverse impact for any of the equalities groups.

<b>Key questions</b>	<b>Examples of what the service has done to promote equality</b>	<b>Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this</b>
<p><b>3.1 Issues relating to all groups</b> and protected characteristics.</p>	<p>PSPOs help control street drinking relating to anti-social behaviour and provide councils with the ability to tackle the issue by providing an authorised officer to enforce against a list of specified anti-social behaviours.</p> <p>PSPOs can be a positive device that help to prevent anti-social behaviour and can provide an effective response to some of the issues local residents and businesses face on a daily basis.</p> <p>A PSPO is likely to enhance the area in terms of improving the environment and reducing fear of crime and ASB. These positive outcomes have helped foster good relations between communities.</p>	<p>Rather than targeting specific individuals, PSPOs focus on the identified problem or behaviour in a specific location.</p> <p>Some groups may be more likely to carry out ASB and therefore more likely to be impacted by the PSPO. Enforcement action will be taken where an individual is engaging in anti-social drinking or crime to the detriment and risk of others.</p> <p>B&amp;NES Council does not expect enforcement officers' actions to be influenced by a person's race; the treatment and process of applying for a PSPO is solely focused on the restricted activities.</p> <p>Avon &amp; Somerset police are governed by the Code of ethics <a href="#">Ethical policing principles</a>   <a href="#">College of Policing</a> and the Equality Act. They are fully certified for the National Equality Standard and have achieved the NES compliant</p>

		<p>accreditation for best practice in Equality, Diversity, and Inclusion – as such they aim to ensure greater dignity, fairness and respect in treatment and outcomes, tackling prejudice, unintended bias and reducing inequalities in service delivery.</p>
<p><b>3.2 Sex</b> – identify the impact/potential impact of the policy on women and men.</p>	<p>Safe spaces - women are significantly more likely than men to say they feel unsafe in their area after dark, and therefore this group may feel safer to be in an area where PSPO's are implemented.</p> <p>To ensure the PSPOs do not disproportionately impact one sex, the decision to take enforcement action will not be based on the sex of the perpetrator of the anti-social drinking behaviour. Decisions will be made on the anti-social behaviour taking place and the impact this has on others.</p> <p>PSPOs will assist in creating a safer and cleaner environment and positively impact on both males and females.</p>	<p>B&amp;NES Council does not expect enforcement officers' actions to be influenced by a person's sex; the treatment and process of applying a PSPO is solely focused on the restricted activities.</p> <p>The PSPO will assist in creating a safer environment and positively impact both men and women, particularly those at risk of alcohol- related crime.</p> <p>Avon and Somerset Police has a force wide trigger plan to identify and support victims of drink spiking under the umbrella of Op. Heartland. There have been dedicated training packages delivered to front line officers to support their understanding. Crime prevention campaigns relating to VAWG (Violence against women and girls) and other NTE (night -time economy) issues continues. This year will see an OPCC - led campaign for training nighttime economy staff to identify victims of VAWG in the NTE, as part of the Safer Streets VAWG initiative. Officers will be cognisant of</p>

		potential spiking victims, whether they are female or male that may lead to ASB or offending behaviours.
<b>3.3 Pregnancy and maternity</b>	<p>Alcohol misuse use during pregnancy can cause birth defects and developmental disabilities collectively known as foetal alcohol spectrum disorders (FASDs). It can also cause other pregnancy problems, such as miscarriage, stillbirth, and prematurity.</p> <p>PSPOs would positively impact by virtue of children being in an environment with less ASB.</p>	<p>B&amp;NES Council does not expect enforcement officers' actions to be influenced by pregnancy or maternity; the treatment and process of applying a PSPO is solely focused on the restricted activities.</p> <p>The police are trained to be able to identify and assess situations they may encounter and to identify any present risk in order that they may ensure that they react appropriately in any situation.</p> <p>For example, if a person is intoxicated and needs to be hospitalised, they will call for an ambulance. Safeguarding referrals are made through the lighthouse unit who can share information with other partners including the NHS.</p>
<b>3.4 Gender reassignment</b> – identify the impact/potential impact of the policy on transgender people	Transgender people or people undertaking gender reassignment may feel safer in an environment where PSPOs are in place.	<p>We don't presently hold any data to suggest that this group would be any more or less likely than other groups to live in the area of the PSPO or breach its terms. Therefore, it is anticipated that the PSPO will not have a disproportionate impact on this protected characteristic.</p> <p>B&amp;NES Council does not expect enforcement officers' actions to be influenced by gender reassignment; the</p>

		<p>treatment and process of applying a PSPO is solely focused on the restricted activities.</p> <p>The council will monitor the implementation of the PSPOs to ensure that no equalities impacts emerge.</p>
<p><b>3.5 Disability</b> – identify the impact/potential impact of the policy on disabled people (ensure consideration both physical, sensory, and mental impairments and mental health)</p>	<p>Disabled residents are often more vulnerable and may feel safer in an environment where PSPOs are in place.</p>	<p>The council does not expect enforcement officers' actions to be influenced by a disability; the treatment and process of applying a PSPO is solely focused on the restricted activities.</p> <p>Avon &amp; Somerset police are a disability confident employer and work to challenge and change attitudes towards disabled people, providing support and removing barriers.</p> <p>Signs are erected around the area designated by the PSPO to ensure that people entering the area are advised that they are in a PSPO designated area. It is recognised that there may be individuals who for a variety of reasons may not be able to read or fully understand the wording on the signage.</p> <p>The Police recognise the need for clarity when dealing with people who may be infringing the terms of the PSPO. In</p>



		<p>requesting that an individual give up or dispose of alcohol they are trained as with all legislation to ensure that individuals understand how they have fallen foul of the legislation.</p> <p>Where enforcement of a PSPO is taking place, considerations will need to be taken regarding disabled people who are neurodivergent and or with learning difficulties as they may need time to process information and respond &amp; react accordingly.</p> <p>Within the police toolkits would be the use of appropriate adults, advocates/ interpreters including BSL. Follow-up activity would take place with those who support the individual.</p>
<p><b>3.6 Age</b> – identify the impact/potential impact of the policy on different age groups.</p>	<p>PSPOs will contribute to a safer environment for all age groups</p> <p>Elderly people and children may feel safer in an environment where PSPOs are in place.</p>	<p>There is no specific age of individuals engaging in street drinking. Previous offenders have been noted to range from 18 to those in their 60s. Avon &amp; Somerset Police have advised that a PSPO cannot be used against young people (under 18); the Police would utilise alternative powers in relation to underage drinking. The treatment and process of applying a PSPO is solely focused on the restricted activities.</p> <p>The police are trained to be able to identify and assess situations they may</p>

		<p>encounter and to identify any present risk in order that they may ensure that they react appropriately in any situation. For example, if a person is intoxicated and needs to be hospitalised, they will call for an ambulance.</p>
<p><b>3.7 Race</b> – identify the impact/potential impact on across different ethnic groups.</p>	<p>The 2021 Census identifies that 85.6% of people in B&amp;NES identified their ethnic background within the White British category.</p> <p>Drink-related anti-social behaviour in the area has a negative impact on all residents in the area, including those from protected characteristic groups. It is, however, important to recognise that minority ethnic people or groups may feel more vulnerable and would benefit from an environment where PSPOs are in place. The PSPO will help to create a safer environment and should have a positive impact on all ethnic groups by reducing crime and ASB.</p>	<p>B&amp;NES Council does not expect enforcement officers' actions to be influenced by a person's race; the treatment and process of applying for a PSPO is solely focused on the restricted activities.</p> <p>Our <u>Joint Community Safety Plan</u> has a shared B&amp;NES and Avon &amp; Somerset Police's key priority to protect the most vulnerable from harm. PSPOs may decrease the likelihood of hate crime being perpetrated.</p> <p>Avon &amp; Somerset police are governed by the Code of ethics <u>Ethical policing principles</u>   <u>College of Policing</u> and the Equality Act. They are fully certified for the National Equality Standard and have achieved the NES compliant accreditation for best practice in Equality, Diversity, and Inclusion .As such they aim to ensure greater dignity, fairness and respect in treatment and outcomes, tackling prejudice, unintended bias and reducing inequalities in service delivery.</p>

<p><b>3.8 Sexual orientation</b> – identify the impact/potential impact of the policy on lesbian, gay, bisexual, heterosexual people</p>	<p>LGBTQ+ people may feel safer in an environment where PSPOs are in place. The PSPO should have a positive impact on residents regardless of their sexual orientation.</p>	<p>B&amp;NES Council does not expect enforcement officers' actions to be influenced by a person's sexual orientation; the treatment and process of applying a PSPO is solely focused on the restricted activities.</p> <p>The council will monitor the implementation of the PSPO to ensure there are no equalities impacts emerge.</p>
<p><b>3.9 Marriage and civil partnership</b> – does the policy/strategy treat married and civil partnered people equally?</p>	<p>PSPOs should have a positive impact on all residents regardless of their married or civil partnership status by reducing crime and anti-social behaviour.</p>	<p>B&amp;NES Council does not expect enforcement officers' actions to be influenced by marital or partnership status; the treatment and process of applying a PSPO is solely focused on the restricted activities.</p>
<p><b>3.10 Religion/belief</b> – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.</p>	<p>PSPOs should have a positive impact on all residents regardless of their religion/belief by reducing crime and anti-social behaviour.</p>	<p>B&amp;NES Council does not expect enforcement officers' actions to be influenced by religion/ belief; the treatment and process of applying a PSPO is solely focused on the restricted activities.</p>
<p><b>3.11 Socio-economically disadvantaged*</b> – identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances. <b>(this is not a legal requirement but is a local priority).</b></p>	<p>PSPOs seek to ensure the designated areas remain safe places to live, visit and work. This has a positive impact on society as well as helping to assist the vibrancy and economy of the areas.</p> <p>PSPOs should have a positive impact on all residents by reducing crime and anti-social behaviour.</p>	<p>It is acknowledged that most of the street community who engage in street drinking within B&amp;NES are categorised as economically disadvantaged and are more likely to come to the attention of the police as their behaviour is often in a public space.</p> <p>This does not mean that they are street homeless; known street drinkers are</p>

	Literature is available to officers to distribute for some local services including DHI / Julian House in interactions.	securely- housed, whether with a social landlord or in private accommodation.
<b>3.12 Rural communities*</b> identify the impact / potential impact on people living in rural communities.	PSPOs are currently only proposed to be enforced in Bath and Midsomer Norton.	
<b>3.13 Armed Forces Community **</b> serving members; reservists; veterans and their families, including the bereaved. Public services are required by law to pay due regard to the Armed Forces Community when developing policy, procedures and making decisions, particularly in the areas of public housing, education, and healthcare (to remove disadvantage and consider special provision).	B&NES Council does not expect enforcement officers' actions to unduly impact on the armed forces community.	The treatment and process of applying a PSPO is solely focused on the restricted activities.

\*There is no requirement within the public sector duty of the Equality Act to consider groups who may be disadvantaged due to socio economic status, or because of living in a rural area. However, these are significant issues within B&NES and have therefore been included here.

\*\* The Equality Act does not cover armed forces community. However, the Armed Forces Bill (which came in on 22 Nov 2022) introduces a requirement to pay 'due regard' to make sure the Armed Forces Community are not disadvantaged when accessing public services.

#### **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/analysis. 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
There will be additional information as the consultation is implemented.	Ongoing updating of the EqIA with all relevant new information.	PSPO consultation to close by end of August 2024. This EqIA will be updated based on consultation responses.	Lores Savine	30/08/2024.

## 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 Equalities Team ([equality@bathnes.gov.uk](mailto: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:** Andy Thomas  
senior officer)

(Divisional Director or nominated

**Date: 13.05.24**