

EQUALITY IMPACT ASSESSMENT
City Centre Public Space Protection Order (PSPO)

1. Directorate	The Neighbourhoods Service	2. Section	Community Safety Team	3. Name of the function being assessed	Introduction and enforcement of a City Centre Public Space Protection Order.
4. Is this a new or existing function?	New function	5. Officer responsible for the assessment	Sara Duckett	6. Lead manager responsible for the assessment	Samantha Stabler
7. Date assessment commenced	August 2019	8. Date of completion	February 2020	9. Date passed to Equality Team	September 2019

Summary of Relevance Assessment

1. Has a Stage 1 Equality Analysis: Relevance Assessment document been completed?

Yes ✓

No

2. Please indicate which **protected characteristics** the relevance assessment identified as relevant to the function that is being assessed (tick below):

Age Disability Race Gender (inc. Gender Reassignment, Pregnancy and Maternity)

Sexual Orientation Religion or Belief (or lack of religion or belief) Marriage or Civil Partnership

3. Please indicate which **aims of the equality duty** the relevance assessment identified as relevant to the function being assessed (tick below):

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

Advance equality of opportunity between those who share a protected characteristic and those who do not

Foster good relations between people who share a protected characteristic and those who do not

Equality Impact Assessment Template

1. About your function

<p>Briefly describe the key delivery objectives of the function being assessed</p>	<p>Background</p> <ul style="list-style-type: none">• The Antisocial Behaviour, Crime and Policing Act 2014 allows Councils to introduce Public Space Protection Orders to stop individuals committing anti-social behaviour in public spaces. An order can be made based upon the evidence of anti-social behaviour and following statutory consultation with the police, the Police and Crime Commissioner and other relevant bodies including community representatives.• The Council undertook a statutory consultation for eight weeks between 12 February 2019 and 8 April 2019. A draft PSPO was provided and consultees were asked their views. Response to the consultation included 1996 completed survey questionnaires and several written submissions.• Having completed the analysis of the consultation responses the Council proposes to introduce and appropriately enforce a Manchester city centre Public Space Protection Order. The terms of the PSPO have been carefully assessed to ensure that each of the prohibitions and requirements meet the relevant legal threshold.• The behaviours that will be prohibited through the PSPO (if introduced) are;<ul style="list-style-type: none">- Consumption of alcohol in public spaces (not including licensed premises)- Urinating or defecating in a public place (save for a legitimate toilet facility)- Leaving commercial waste in a public place other than in a secure container or sack- Leaving commercial waste in a public place for the purpose of collection more than 2 hours before the collection- Discarding a hypodermic needle or syringe in a public place (save for an appropriate sharps container) <p>The PSPO (if introduced) will allow officers to require people;</p> <ul style="list-style-type: none">- To move from a specified location if they are causing an obstruction which presents a health and/or safety risk- To move from a location if they have erected or are occupying a tent or other structure that
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	<p>attracts or is likely to attract vermin or creates or is likely to create a health and/or safety risk for any other person</p> <ul style="list-style-type: none"> - Provide their details if an Authorised Officer suspects they are in breach of the PSPO - Clear commercial waste that has escaped control <ul style="list-style-type: none"> • A PSPO can be enforced by issuing a Fixed Penalty Notice (£100) or a prosecution (up to £1000 fine if convicted). <p>Key Delivery Objectives</p> <ul style="list-style-type: none"> • To introduce a city centre PSPO as an additional tool to enable council and police officers to manage specific types of anti-social behaviour in Manchester city centre. • To raise awareness of the terms of the PSPO with all relevant groups and through 'on street' city centre engagement and signage prior to commencing formal enforcement. • Prevention of anti-social behaviour in the city centre. • For council and police officers to continue the partnership approach to tackling anti-social behaviour in the city centre and in accordance with the Council's Corporate Enforcement and Anti Social Behaviour Policies. • To protect people from anti-social behaviour so they feel safe living, working and visiting the city centre. • To continue to identify people with vulnerabilities and provide appropriate advice, signposting information and/or referrals on their behalf (e.g. safeguarding). • To work with partners to effectively investigate and tackle anti social behaviour, avoiding duplication whenever possible. • To respond to children (17 years and under) acting anti-socially in the city centre as a need for support / safeguarding as an alternative to PSPO formal enforcement. • To apply the PSPO prohibitions and requirements to all persons (save for those 17 years and under).
<p>What are the desired outcomes from this function?</p>	<ul style="list-style-type: none"> • Public awareness of the city centre PSPO. • A reduction in anti-social behaviour in Manchester city centre. • Increased public confidence in the ability of the council and police to anti-social behaviour to tackle anti social behaviour.

	<ul style="list-style-type: none"> • Consistency in enforcement decisions. • Continued offers of appropriate support and intervention for people with vulnerabilities. • Compliance with the Council's Corporate Enforcement and Anti Social Behaviour policies.
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2. About your customer

Do you currently monitor the function by the following protected characteristics?	Protected Characteristics	Y/N	If no, please explain why this is the case and / or note how you will prioritise gathering this equality data
	Race	N	This is a new function. The feasibility of capturing equality data will be considered 3 months after PSPO enforcement commences.
	Gender (inc. gender reassignment, pregnancy and maternity)	N	This is a new function. The feasibility of capturing equality data will be considered 3 months after PSPO enforcement commences.
	Disability	N	This is a new function. The feasibility of capturing equality data will be considered 3 months after PSPO enforcement commences.
	Sexuality	N	This is a new function. The feasibility of capturing equality data will be considered 3 months after PSPO enforcement commences.
	Age	N	This is a new function. The feasibility of capturing equality data will be considered 3 months after PSPO enforcement commences.
	Religion or belief (or lack of religion or belief)	N	This is a new function. The feasibility of capturing equality data will be considered 3 months after PSPO enforcement commences.
	Marriage or civil partnership	N	This is a new function. The feasibility of capturing equality data will be considered 3 months after PSPO enforcement

			commences.
<p>4. What information has been analysed to inform the content of this EIA?</p> <p>Please include details of any data compiled by the service, any research that has been undertaken, any engagement that was carried out etc.</p>	<ul style="list-style-type: none"> • 2018 -2021 Community Safety Strategy consultation responses • 2018 Manchester City Centre Survey responses • Greater Manchester Police data • Manchester City Council data • Community Impact Statements • City Centre PSPO Consultation responses • UK homelessness: 2005 to 2018, Office for National Statistics 		

3. Delivery of a customer focused function

Does your analysis indicate a disproportionate impact relating to race ?	Y	N	
		X	
<p>Please describe the nature of any disproportionate impact/s</p> <p>Please indicate what actions will be taken to address these</p>	<p>Although an order will not disproportionately impact the protected characteristic for Race any possible impact will be minimised through officer training. Prior to authorisation all officers will be trained to enforce the order fairly and proportionately. To promote compliance and reduce any disadvantage created by language barriers officers will have training and access to translation services.</p> <p>Each behaviour / requirement has been considered in relation to any disproportionate impact;</p> <ul style="list-style-type: none"> - Consumption of alcohol in public spaces (not including licensed premises) – this prohibition does not create a disproportionate impact on race. Anyone who requires support will receive information regarding the Change, Grow, Live (drug and alcohol) services. - Urinating or defecating in a public place (save for a legitimate toilet facility) - this prohibition does not create a disproportionate impact on race. - Leaving commercial waste in a public place other than in a secure container or sack -- this prohibition does not create a disproportionate impact on race. - Leaving commercial waste in a public place for the purpose of collection more than 2 hours before the collection time - this prohibition does not create a disproportionate impact on race. 		

	<ul style="list-style-type: none"> - Discarding a hypodermic needle or syringe in a public place (save for an appropriate sharps container) - this prohibition does not create a disproportionate impact on race. Anyone who requires support will receive information regarding the Change, Grow, Live (drug and alcohol) services and needle exchange provision. - Obstruction of entrances and exits of buildings – this requirement provides an opportunity for compliance and does not create a disproportionate impact on race. - Not to erect a tent or other temporary structure - this requirement provides an opportunity for compliance and does not create a disproportionate impact on race. - For a person to provide their name, dob and address when requested by an Authorised Officer - this requirement provides an opportunity for compliance and does not create a disproportionate impact on race. - Commercial waste – these requirements do not create a disproportionate impact on race. <p>Actions:</p> <ul style="list-style-type: none"> - Officer training 						
Which action plans have these actions been transferred to?	Service Plans: Development of PSPO enforcement guidance and staff training.						
Does your analysis indicate a disproportionate impact relating to disability ?	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%; text-align: center;">Y</th> <th style="width: 25%; text-align: center;">N</th> <th style="width: 50%;"></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">X</td> <td></td> <td style="background-color: #cccccc;"></td> </tr> </tbody> </table>	Y	N		X		
Y	N						
X							
<p>Please describe the nature of any disproportionate impact/s</p> <p>Please indicate what actions will be taken to address these</p>	<p>As mentioned in the objectives and outcomes of this function the prohibitions and requirements will be applied to all persons (save for those 17 years and under). However it is recognised that the requirements to move from a location due to causing an obstruction or occupation of a tent, in a manner that causes a health or safety risk to another person/s, may involve people who sleep rough in the city centre and are homeless. The Council acknowledges that people who sleep rough represent one of the most vulnerable groups in society and considers physical and mental health conditions as primary support needs. Therefore enforcement of these requirements may disproportionately impact on people who are disabled.</p>						

We will ensure any disproportionate impact is minimised and Authorised officers are given training to enforce any order fairly and proportionately. The enforcement guidelines allow officers to consider individual circumstances to determine when help and support is the most appropriate option as an alternative to enforcement.

Each behaviour / requirement has been considered in relation to any disproportionate impact;

- Consumption of alcohol in public spaces (not including licensed premises) – this prohibition does not create a disproportionate impact on disability. Anyone who requires support will receive information regarding the Change, Grow, Live (drug and alcohol) services.
- Urinating or defecating in a public place (save for a legitimate toilet facility) - this prohibition does not create a disproportionate impact on disability. If a person urinates or defecates in a public place associated with a disability the provisions of the order provide an opportunity for 'reasonable excuse.' Therefore officers would apply discretion and the PSPO would not be enforced.
- Leaving commercial waste in a public place other than in a secure container or sack -- this prohibition does not create a disproportionate impact on disability.
- Leaving commercial waste in a public place for the purpose of collection more than 2 hours before the collection time - this prohibition does not create a disproportionate impact on disability.
- Discarding a hypodermic needle or syringe in a public place (save for an appropriate sharps container) - this prohibition does not create a disproportionate impact on disability. Anyone who requires support will receive information regarding the Change, Grow, Live (drug and alcohol) services and needle exchange provision.
- Obstruction of entrances and exits of buildings – this requirement provides an opportunity for the Authorised Officer to seek compliance. If someone discloses a disability that impacts their mobility the Authorised Officer will apply discretion and consider increasing the 'reasonable time' allowed to move from the area. In accordance with the details of the requirement individuals will only be asked to move if they are causing a health and or safety risk for others. Any person who is rough sleeping and / or requires support with a

	<p>disability will be informed of the services available in the city centre where they can seek support and advice.</p> <ul style="list-style-type: none"> - Not to erect a tent or other temporary structure - this requirement provides an opportunity for the Authorised Officer to seek compliance. If someone discloses a disability that impacts mobility the Authorised Officer will apply discretion and consider increasing the 'reasonable time' allowed to move from the area. In accordance with the details of the requirement individuals will only be asked to move if they are causing a health and or safety risk for others. Any person who is rough sleeping and / or requires support with a disability will be informed of the services available in the city centre where they can seek support and advice. - For a person to provide their name, dob and address when requested by an Authorised officer - this requirement provides an opportunity for compliance and does not create a disproportionate impact on disability. - Commercial waste – these requirements do not create a disproportionate impact on disability. <p>Actions:</p> <ul style="list-style-type: none"> - Officer training 		
Which action plans have these actions been transferred to?	Service Plans: Development of PSPO enforcement guidance and staff training.		
Does your analysis indicate a disproportionate impact relating to Gender (including gender reassignment or pregnancy and maternity)?	Y	N X	

<p>Please describe the nature of any disproportionate impact/s</p> <p>Please indicate what actions will be taken to address these</p>	<p>Although an order will not disproportionately affect the protected characteristic for Gender – we will ensure any possible impact is minimised and Authorised officers are given training to enforce any order fairly and proportionately.</p> <p>Each PSPO requirement (listed below) and how it will impact on ‘Gender’ and actions we will undertake to address this.</p> <ul style="list-style-type: none"> - Consumption of alcohol in public spaces (not including licensed premises) – this prohibition does not create a disproportionate impact on gender. Anyone who requires support will receive information regarding the Change, Grow, Live (drug and alcohol) services. - Urinating or defecating in a public place (save for a legitimate toilet facility) - this prohibition does not create a disproportionate impact on gender. - Leaving commercial waste in a public place other than in a secure container or sack -- this prohibition does not create a disproportionate impact on gender. - Leaving commercial waste in a public place for the purpose of collection more than 2 hours before the collection time - this prohibition does not create a disproportionate impact on gender. - Discarding a hypodermic needle or syringe in a public place (save for an appropriate sharps container) - this prohibition does not create a disproportionate impact on gender. Anyone who requires support will receive information regarding the Change, Grow, Live (drug and alcohol) services and needle exchange provision. - Obstruction of entrances and exits of buildings – this requirement provides an opportunity for compliance and does not create a disproportionate impact on gender. - Not to erect a tent or other temporary structure - this requirement provides an opportunity for compliance and does not create a disproportionate impact on gender. - For a person to provide their name, dob and address when requested by an Authorised officer - this requirement provides an opportunity for compliance and does not create a disproportionate impact on gender. - Commercial waste – Commercial waste – this requirement provides an opportunity for compliance and does not create a disproportionate impact on gender.
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	Actions: - Officer training
Which action plans have these actions been transferred to?	Service Plans: Development of PSPO enforcement guidance and staff training.

Does your analysis indicate a disproportionate impact relating to age ?	Y	N	
Please describe the nature of any disproportionate impact/s	X		<p>The approach to children (aged 17 years and under) will be to safeguard, offer support and engage with their parents/guardians. Therefore the terms of the PSPO will not usually be enforced against children aged 17 years and under. This means there is a planned disproportionate impact relating to age.</p>
Please indicate what actions will be taken to address these	<p>Each PSPO requirement (listed below) and how it will impact on 'Age' and actions we will undertake to address this.</p> <ul style="list-style-type: none"> - Consumption of alcohol in public spaces (not including licensed premises) – this prohibition creates a disproportionate impact on age. The PSPO would not usually be enforced against children aged 17 years and under. There are no disproportionate impacts for people aged 18 years and over. - Urinating or defecating in a public place (save for a legitimate toilet facility) - this prohibition creates a disproportionate impact on age. The PSPO would not usually be enforced against children aged 17 years and under. There are no disproportionate impacts for people aged 18 years and over. - Leaving commercial waste in a public place other than in a secure container or sack -- this prohibition creates a disproportionate impact on age. The PSPO would not usually be enforced against children aged 17 years and under. There are no disproportionate impacts for people aged 18 years and over. - Leaving commercial waste in a public place for the purpose of collection more than 2 hours before the collection time - this prohibition creates a disproportionate impact on age. The PSPO would not usually be enforced against children aged 17 years and under. There are no disproportionate impacts for people aged 18 years and over. - Discarding a hypodermic needle or syringe in a public place (save for an appropriate sharps container) - this prohibition creates a disproportionate impact on age. The PSPO 		

	<p>would not be enforced against children aged 17 years and under. There are no disproportionate impacts for people aged 18 years and over.</p> <ul style="list-style-type: none"> - Obstruction of entrances and exits of buildings – this requirement provides an opportunity for compliance. This requirement creates a disproportionate impact on age. The PSPO would not usually be enforced against children aged 17 years and under. There are no disproportionate impacts for people aged 18 years and over. - Not to erect a tent or other temporary structure - this requirement provides an opportunity for compliance. This requirement creates a disproportionate impact on age. The PSPO would not usually be enforced against children aged 17 years and under. There are no disproportionate impacts for people aged 18 years and over. - For a person to provide their name, dob and address when requested by an Authorised officer - this requirement provides an opportunity for compliance. This requirement creates a disproportionate impact on age. The PSPO would not usually be enforced against children aged 17 years and under. There are no disproportionate impacts for people aged 18 years and over. - Commercial waste – this requirement provides an opportunity for compliance and creates a disproportionate impact on age. The PSPO would not usually be enforced against children aged 17 years and under. There are no disproportionate impacts for people aged 18 years and over. <p>Actions:</p> <ul style="list-style-type: none"> - Officer training
Which action plans have these actions been transferred to?	Service Plans: Development of PSPO enforcement guidance and staff training.

Does your analysis indicate a disproportionate impact relating to sexual orientation ?	Y	N	
		X	
<p>Please describe the nature of any disproportionate impact/s</p> <p>Please indicate what actions will be taken to address these</p>	<p>Although an order will not disproportionately affect the protected characteristic for Sexual Orientation – we will ensure any possible impact is minimised and Authorised officers are given training to enforce any order fairly and proportionately.</p> <p>Each PSPO requirement (listed below) and how it will impact on ‘Sexual Orientation’ and actions we will undertake to address this.</p> <ul style="list-style-type: none"> - Consumption of alcohol in public spaces (not including licensed premises) – this prohibition does not create a disproportionate impact on sexual orientation. Anyone who requires support will receive information regarding the Change, Grow, Live (drug and alcohol) services. - Urinating or defecating in a public place (save for a legitimate toilet facility) - this prohibition does not create a disproportionate impact on sexual orientation. - Leaving commercial waste in a public place other than in a secure container or sack -- this prohibition does not create a disproportionate impact on sexual orientation. - Leaving commercial waste in a public place for the purpose of collection more than 2 hours before the collection time - this prohibition does not create a disproportionate impact on sexual orientation. - Discarding a hypodermic needle or syringe in a public place (save for an appropriate sharps container) - this prohibition does not create a disproportionate impact on sexual orientation. Anyone who requires support will receive information regarding the Change, Grow, Live (drug and alcohol) services and needle exchange provision. - Obstruction of entrances and exits of buildings – this requirement provides an opportunity for compliance and does not create a disproportionate impact on sexual orientation. - Not to erect a tent or other temporary structure - this requirement provides an opportunity for compliance and does not create a disproportionate impact on sexual orientation. - For a person to provide their name, dob and address when requested by an Authorised 		

	<p>officer - this requirement provides an opportunity for compliance and does not create a disproportionate impact on sexual orientation.</p> <ul style="list-style-type: none"> - Commercial waste – this requirement provides an opportunity for compliance and does not create a disproportionate impact on sexual orientation. <p>Actions:</p> <ul style="list-style-type: none"> - Officer training
Which action plans have these actions been transferred to?	Service Plans: Development of PSPO enforcement guidance and staff training.

Does your analysis indicate a disproportionate impact relating to religion and belief (including lack of religion or belief)?	Y	N	
		X	
<p>Please describe the nature of any disproportionate impact/s</p> <p>Please indicate what actions will be taken to address these</p>	<p>Although an order will not disproportionately affect the protected characteristic for Religion and Belief – we will ensure any possible impact is minimised and Authorised officers are given training to enforce any order fairly and proportionately.</p> <p>Each PSPO requirement (listed below) and how it will impact on ‘Religion and belief’ and actions we will undertake to address this.</p> <ul style="list-style-type: none"> - Consumption of alcohol in public spaces (not including licensed premises) – this prohibition does not create a disproportionate impact on religion and belief. - Urinating or defecating in a public place (save for a legitimate toilet facility) - this prohibition does not create a disproportionate impact on religion and belief. - Leaving commercial waste in a public place other than in a secure container or sack -- this prohibition does not create a disproportionate impact on religion and belief. - Leaving commercial waste in a public place for the purpose of collection more than 2 hours before the collection time - this prohibition does not create a disproportionate impact on religion and belief. 		

	<ul style="list-style-type: none"> - Discarding a hypodermic needle or syringe in a public place (save for an appropriate sharps container) - this prohibition does not create a disproportionate impact on religion and belief. - Obstruction of entrances and exits of buildings – this requirement provides an opportunity for compliance and does not create a disproportionate impact on religion and belief. - Not to erect a tent or other temporary structure - this requirement provides an opportunity for compliance and does not create a disproportionate impact on religion and belief. - For a person to provide their name, dob and address when requested by an Authorised officer - this requirement provides an opportunity for compliance and does not create a disproportionate impact on religion and belief. - Commercial waste – this requirement provide an opportunity for compliance and does not create a disproportionate impact on religion and belief. <p>Actions:</p> <ul style="list-style-type: none"> - Officer Training
Which action plans have these actions been transferred to?	Service Plans: Development of PSPO enforcement guidance and staff training.

Does your analysis indicate a disproportionate impact relating to marriage or civil partnership ?	Y	N	
		X	
Please describe the nature of any disproportionate impact/s Please indicate what actions will be taken to address these			There is no disproportionate impact relating to Marriage or Civil Partnership. Any disproportionate impact has been considered for each PSPO term (listed below) in relation to 'Marriage or Civil Partnership.' <ul style="list-style-type: none"> - Consumption of alcohol in public spaces (not including licensed premises) – this prohibition does not create a disproportionate impact on marriage or civil partnership.

	<ul style="list-style-type: none"> - Urinating or defecating in a public place (save for a legitimate toilet facility) - this prohibition does not create a disproportionate impact on marriage or civil partnership. - Leaving commercial waste in a public place other than in a secure container or sack -- this prohibition does not create a disproportionate impact on marriage or civil partnership. - Leaving commercial waste in a public place for the purpose of collection more than 2 hours before the collection time - this prohibition does not create a disproportionate impact on marriage or civil partnership. - Discarding a hypodermic needle or syringe in a public place (save for an appropriate sharps container) - this prohibition does not create a disproportionate impact on marriage or civil partnership. - Obstruction of entrances and exits of buildings – this requirement provides an opportunity for compliance and does not create a disproportionate impact on marriage or civil partnership. - Not to erect a tent or other temporary structure - this requirement provides an opportunity for compliance and does not create a disproportionate impact on marriage or civil partnership. - For a person to provide their name, dob and address when requested by an Authorised officer - this requirement provides an opportunity for compliance and does not create a disproportionate impact on marriage or civil partnership. - Commercial waste – this requirement provides an opportunity for compliance and does not create a disproportionate impact on marriage or civil partnership.
Which action plans have these actions been transferred to?	Service Plans: Development of PSPO enforcement guidance and staff training.

4. EIA Action Plan

Service / Directorate lead: Samantha Stabler, Community Safety Lead
 Strategic Director: Fiona Worrall, Strategic Director - Neighbourhoods

Actions identified from EIA	Target completion date	Responsible Officer	Is this action identified in your Directorate Business Plan and / or Equality Action Plan? (Yes / No / n/a)	Comments
Development of officer training plan	December 2019	Samantha Stabler	N/A	This EIA is part of the Equality Action Plan.
Development of officer enforcement guidance	December 2019	Samantha Stabler	N/A	
Officer training	March 2020	Samantha Stabler	N/A	Linked to relevant guidance, policies and procedures.
Review the feasibility of capturing equality data	3 months from the date enforcement commences	Samantha Stabler	N/A	

5. Director level sign off

Name: Fiona Worrall, Strategic Director - Neighbourhoods	Date:
Directorate: Neighbourhoods Directorate	Signature:

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NB: Sign-off must be in the form of an actual signature; not an emailed authorisation.