

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	PSPO Borough, Wembley Park, Parks, Open Spaces, Cemeteries and Graveyards
DEPARTMENT:	Community Protection
reworded TEAM:	Community Protection
LEAD OFFICER:	Susana Figueiredo
DATE:	5 September 2022

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

The Anti-Social Behaviour, Crime and Policing Act 2014 sets out the tools and powers available to Anti-Social Behaviour partnerships. A tool made available to local government only is the Public Spaces Protection Order (PSPO). This gives councils the ability to enforce with Fixed Penalty Notices or court action any behaviour causing nuisance, alarm, harassment or distress to those who live, work or visit an area. The powers are a critical complementary tool to powers provided to the police and other agencies.

A Borough-wide PSPO for the consumption of alcohol (street drinking) was introduced in October 2017 and renewed again in 2020. In 2019, a separate PSPO was introduced in parks, open spaces, cemeteries and graveyards, which included numerous prohibitions. In 2020, a further PSPO was introduced to deal with anti-social behaviour surrounding Wembley National stadium.

The proposal is to have one single PSPO, for the reasons set out in the body of the report, which includes the entire Borough, with additional suitable prohibitions in Wembley Park (in relation to Wembley Stadium events) and parks, open spaces, cemeteries and graveyards. With one unified PSPO, this amongst other things will prevent confusion for both members of the public and those enforcing the PSPO.

The anti-social behaviour that is prevalent across the borough which in turn has turned into proposed prohibitions for the PSPO include;

Entire Borough (including POsCGs & Wembley Park)

(1) consumption of alcohol, (2) Use of illegal drugs or psychoactive substances (formerly known as legal highs or balloons), (3) Littering (urination or defecation), (4) Littering (spitting), (5) Littering (bottles, cans, packets, food, chewing gum, cigarettes), (6) Dog fouling **(7) Illegal trading (food or other items in the street)*, (8), Use of megaphone or microphone with speaker* and (9) Aggressive begging***

***Does not apply to POsCGs**

Wembley Park only

(10) Illegal trading of merchandise, (11) Illegal trading of tickets (ticket touting), (12) Distribution of free literature (including giveaway items), (13) Charity collectors, (14) Busking without consent, (15) Ambush marketing (including fly posting), (16) Pyrotechnics (including fireworks, flares or smoke emitters), (17) Obstruction of the public highway, preventing the free flow of person's movement and (18) Flying of drones

Parks, Open Spaces, Cemeteries & Graveyards only

(19) Unauthorised use of motor vehicles (including e-scooters and e-bicycles), (20) Use of permitted vehicles without due care and attention, (21) Loss of control of dogs (dog not within eyesight of owner and/or do not respond to recall), (22) Dogs that are prohibited from specific areas, (23) Letting a dog off a lead in a specified area, (24) More than four dogs being walked at the same time, (25) Flying drones and model aircrafts, (26) The lighting of fires or use of barbeques, (27) The use of fireworks in a banned area, (28) Defacing or damaging fixtures, furniture or other items, (29) Launching of sky lanterns, (30) Feeding wild animals inclusive of birds and (31) Unauthorised events/activities

This proposal is to keep the borough safe and clear of obstruction; however, it wants to ensure where this is not the case that it uses the relevant legislation and approaches to maintain a clean and safe environment. The PSPO will ensure that there is no direct or indirect discrimination, harassment or victimisation, that people with a protected characteristic have equality of opportunity as those who do not have a protected characteristic.

2. Who may be likely to be affected by this policy or proposal?

A public spaces protection order is an order that identifies a public place* referred to in a restricted area* and (a) prohibits specified things being done in the restricted area and/or (b) requires specified things to be done by persons carrying on specified activities in that area.

*Public place means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission

*Restricted area means the area defined to prohibit and/or act upon specified things in that area.

The public places would be limited to the London Borough of Brent

3. Is there relevance to equality and the council's public sector equality duty? If your answer is no, you must provide an explanation.

Yes

4. Please indicate with an “X” the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

1. Consumption of alcohol

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

There are reports of males that consume alcohol in the street and in parks. During Wembley Stadium event days, there is also an increase in the consumption of alcohol

2. Use of illegal drugs or psychoactive substances (formerly known as legal highs or balloons)

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))			x
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

The highest number of people who are reported to consume nitrous oxide are aged 0-30 years of age. In relation to smoking cannabis, this does not have any restriction on age

3. Littering (urination or defecation)

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact any age and mainly relates to males.

4. Littering (spitting)

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))			x
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact any age and mainly relates to males. This is particularly true in the Wembley area where paan spitting is rife.

5. Littering (bottles, cans, packets, food, chewing gum, cigarettes)

Characteristic	IMPACT		
	Positive	Neutral/None	Negative

Age (Younger People (17-25) and Children / Older People (60+))			x
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact any age, male or female

6. Dog Fouling

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))			x
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)			x
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact any age, male or female who is responsible for a dog

7. Illegal trading (food or other items in the street)

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	

Sexual Orientation (Gay / Lesbian / Bisexual)		X	
Gender Re-assignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	

Negative Impact

This is likely to impact adult males or females who wish to trade in the street

8. Use of megaphone or microphone with speaker

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))			X
Gender (Men / Women)		X	
Race		X	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		X	
Religion / Belief			X
Sexual Orientation (Gay / Lesbian / Bisexual)		X	
Gender Re-assignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	

Negative Impact

This is likely to impact adult males or females who wish to use a megaphone in the street. There is regular preaching in high streets which includes the use of megaphones.

9. Aggressive begging

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		X	
Gender (Men / Women)			X
Race		X	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)			X
Religion / Belief		X	
Sexual Orientation (Gay / Lesbian / Bisexual)		X	
Gender Re-assignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	

Negative Impact

This is likely to impact adult males or females. It is also likely to affect those who are homeless or have mental health or addition issues.

10. Illegal trading of merchandise

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

It is predominantly males who trade illegally at Wembley Stadium events and therefore who will be impacted.

11. Illegal trading of tickets (ticket touting)

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact.

It is predominantly adult males who trade illegally at Wembley Stadium events and therefore who would be most impacted.

12. Distribution of free literature (including giveaway items)

Characteristic	IMPACT
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	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact adult males or females. Any person who distributes free literature for political, religious or charitable purposes is exempt under the legislation.

13. Charity collectors

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact adult males or females. Any legitimate charity collector would be aware that permission must be sought prior to collecting, as an application must be made to the Police.

14. Busking without consent

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	

Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		X	
Religion / Belief		X	
Sexual Orientation (Gay / Lesbian / Bisexual)		X	
Gender Re-assignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	

Negative Impact

This is likely to impact adult males or females.

15. Ambush marketing (including fly posting)

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		X	
Gender (Men / Women)			X
Race		X	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		X	
Religion / Belief		X	
Sexual Orientation (Gay / Lesbian / Bisexual)		X	
Gender Re-assignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	

Negative Impact

This is likely to impact adult males or females.

16. Pyrotechnics (including fireworks, flares or smoke emitters),

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		X	
Gender (Men / Women)			X
Race		X	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		X	
Religion / Belief		X	
Sexual Orientation (Gay / Lesbian / Bisexual)		X	
Gender Re-assignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	

Negative Impact

This is likely to impact adult males or females who let off flares at Wembley Stadium events

17. Obstruction of the public highway, preventing the free flow of person's movement

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact adult males or females.

18. Flying of drones

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact adult males or females.

19. Unauthorised use of motor vehicles (including e-scooters and e-bikes)

Characteristic	IMPACT		
	Positive	Neutral/None	Negative

Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact adult males or females.

20. Use of permitted vehicles without due care and attention

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))			x
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact adult males or females. It is also likely to impact younger people who ride scooters or bicycles.

21. Loss of control of dogs (dog not within eyesight of owner and/or do not respond to recall)

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	

Religion / Belief		X	
Sexual Orientation (Gay / Lesbian / Bisexual)		X	
Gender Re-assignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	

Negative Impact

This is likely to impact adult males or females who are responsible for a dog.

22. Dogs that are prohibited from specific areas

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		X	
Gender (Men / Women)			X
Race		X	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		X	
Religion / Belief		X	
Sexual Orientation (Gay / Lesbian / Bisexual)		X	
Gender Re-assignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	

Negative Impact

This is likely to impact adult males or females who are responsible for a dog.

23. Letting a dog of a lead in a specified area

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		X	
Gender (Men / Women)			X
Race		X	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		X	
Religion / Belief		X	
Sexual Orientation (Gay / Lesbian / Bisexual)		X	
Gender Re-assignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	

Negative Impact

This is likely to impact adult males or females who are responsible for a dog.

24. More than four dogs being walked at the same time

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact adult males or females who are responsible for a dog.

25. Flying drones and model aircrafts

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))			x
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact adult males or females or young adults.

26. The lighting of fires or use of barbeques

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	

Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		X	
Religion / Belief		X	
Sexual Orientation (Gay / Lesbian / Bisexual)		X	
Gender Re-assignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	

Negative Impact

This is likely to impact adult males or females.

27. The use of fireworks in a banned area

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		X	
Gender (Men / Women)			X
Race		X	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		X	
Religion / Belief		X	
Sexual Orientation (Gay / Lesbian / Bisexual)		X	
Gender Re-assignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	

Negative Impact

This is likely to impact adult males or females.

28. Defacing or damaging fixtures, furniture or other items

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))			X
Gender (Men / Women)			X
Race		X	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		X	
Religion / Belief		X	
Sexual Orientation (Gay / Lesbian / Bisexual)		X	
Gender Re-assignment		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	

Negative Impact

This is likely to impact adult males or females or young adults.

29. Launching of sky lanterns

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))		x	
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact adult males or females.

30. Feeding wild animals inclusive of birds

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age (Younger People (17-25) and Children / Older People (60+))			x
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact adult males or females or older persons.

31. Unauthorised events/activities

Characteristic	IMPACT		
	Positive	Neutral/None	Negative

Age (Younger People (17-25) and Children / Older People (60+))			x
Gender (Men / Women)			x
Race		x	
Disability (Learning Difficulties / Hearing Impairment / Visual Impairment / Physical Disability / Mental Illness)		x	
Religion / Belief		x	
Sexual Orientation (Gay / Lesbian / Bisexual)		x	
Gender Re-assignment		x	
Marriage & Civil Partnership		x	
Pregnancy & Maternity		x	

Negative Impact

This is likely to impact adult males or females or younger adults.

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

The consultation process ran from 11 July 2022 to 18 August 2022 in relation to the proposed Public Spaces Protection Order (PSPO). Prior to this an evidence gathering exercise to identify what anti-social behaviours residents are affected by, was also undertaken.

552 respondents participated in the evidence gathering exercise and 233 responded to the consultation to introduce the unified PSPO. The relevant consultation questions were able to determine how representative respondents were in respect of age, ethnicity, religion, gender, disability, sexual orientation and gender identity.

Age groups between 30-49 were those that mostly makeup the 233 responses to the consultation, with 22.8% aged 30-39 and 24.6% aged 40-49 (a total of 47.4%). 53.9% of respondents were White, 19.4% Asian and 4.8% Black. 7.7% of respondents identified as having a disability and over 9.9% identified as being Lesbian, Gay, Bisexual or Queer. Over 26.7% of respondents identified as Christian, with 28.9% having no religion or belief and just over 6% Muslim and 10.3% Hindu.

Borough Wide

Over 80% agreed with 7/14 prohibitions, over 60% agreed with a further 5/31 prohibitions and over 30% agreed with the remaining 2/14.

Parks, Open Spaces, Cemeteries & Graveyards

Over 80% agreed with 9/18 prohibitions, over 60% agreed with a further 5/18 prohibitions and over 40% agreed with the remaining 4/18.

Wembley Park

Over 80% agreed with 9/18 prohibitions, over 60% agreed with a further 5/18 prohibitions and over 40% agreed with the remaining 4/18.

There was also direct representation made by the Brent Cycling Campaign who felt the inclusion of electrically assisted pedal cycles (EAPCs) particularly used by older people in parks and open spaces, could be penalised under the order. However, this would fall outside the scope of enforcement, as EAPCs are not considered motorised vehicles and therefore exempt from the prohibition of motorised vehicles in parks and open spaces. The Council's position was clarified to Brent Cycle Campaign.

There was also representation made by the Safer Neighbourhood Board in relation to removing the lantern prohibition which has since been reversed. They also wanted to ensure that e-scooters would not be included as a vehicle that would be permitted in parks because of the potential injuries to pedestrians. As per the paragraph above, only EAPCs would be included as they are not considered a motorised vehicle. In addition, they wanted the consumption of alcohol to be included in all parks and open spaces and not just the five parks within the current parks PSPO. This has already been recommended.

Finally, a suggestion was made to ensure that a noise prohibition is included in the PSPO in relation to persons who make noise in the park. Having spoken to the manager for the Neighbourhood Patrol officers, this would be difficult to enforce in some circumstances. In order to balance the needs of park users and those residing in close proximity, an additional caveat on the motorised vehicles prohibition has been added which states that where implied permission is given for motorised vehicles to enter the car parks that adjoin parks and open spaces, they must be used so as to not cause a nuisance. This includes the revving of engines, playing of music, shouting and horn blowing. An additional caveat was also added to the prohibition relating to unauthorised events and activities where anyone that causes a public nuisance whilst carrying out an unauthorised event/activity would breach the prohibition.

2. For each "protected characteristic" provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state "not applicable".

AGE	
Details of impacts identified	<p>Negative</p> <p>As there is such a large range of prohibitions, it is not likely that one age range will be affected by the prohibitions. However, in relation to the prohibitions for psychoactive substances and the smoking of cannabis, it is likely to impact a younger age range under 35. In relation to the consumption of alcohol, this is likely to impact an age range between 30-55</p> <p>The mitigating action to address this would be ensuring information on the PSPO is communicated using on street outreach in hot spot locations. In addition, a separate communications plan will be developed to ensure awareness raising through social media platforms which young people use. The PSPO focuses on the prohibitions within the borough irrespective of the age and enforcement officers will not take the age of the individual to account</p>
DISABILITY	

Details of impacts identified	<p>Neutral</p> <p>At this stage, we do not have any data to suggest that this group would be any more or less likely than the rest of the population to breach the terms of the proposed PSPO. Information will be communicated in an accessible way to ensure people with a disability understand the changes and are not adversely impacted.</p> <p>The mitigating actions to address this would ensure signage is in large print, plain English and use of pictures to make sure the prohibitions are clearly communicated. Officers will also ensure individuals who are warned in the first instance are referred to ASB Team to ensure vulnerability checks are conducted to shape what consequent action might be taken.</p>
RACE	
Details of impacts identified	<p>Neutral</p> <p>The PSPO focuses on prohibitions within the borough irrespective of the race and enforcement officers will not take race of the individual to account when executing the order. The order will apply to everyone however, we cannot suggest if a particular race may be disproportionately affected by the PSPO.</p>
SEX	
Details of impacts identified	<p>Neutral</p> <p>The PSPO focuses on prohibitions within the borough irrespective of gender, which will not influence action of the enforcement officers or during the executing of the order, gender will not be taken to account. The order will apply to everyone however, we cannot suggest if a particular gender may be disproportionately affected by the PSPO.</p>
SEXUAL ORIENTATION	
Details of impacts identified	<p>Neutral</p> <p>At this stage, we do not have any data to suggest that this group would be any more or less likely than the rest of the population to breach the terms of the proposed PSPO. Therefore, it is anticipated that the proposal will not have a disproportionate impact on this protected characteristic.</p> <p>We will mitigate any potential equality gaps or issues by capturing the necessary information tailored towards the protected characteristic during the implementation of the PSPO. Enforcement officers will be equipped with electronic devices to capture all equality data.</p>
PREGANCY AND MATERNITY	

Details of impacts identified	<p>Neutral</p> <p>There is no evidence to suggest pregnancy and maternity would be affected by the PSPO. We will mitigate any potential equality gaps or issues by capturing the necessary information tailored towards the protected characteristic during the implementation of the PSPO. Enforcement officers will be equipped with electronic devices to capture all equality data.</p>
RELIGION OR BELIEF	
Details of impacts identified	<p>Neutral</p> <p>Christians are a little overrepresented, Muslim and Hindu respondents are underrepresented. At this stage, we do not have any data to suggest that this group would be any more or less likely than the rest of the population to breach the terms of the proposed PSPO. Therefore, it is anticipated that the proposal will not have a disproportionate impact on this protected characteristic We will mitigate any potential equality gaps or issues by capturing the necessary information tailored towards the protected characteristic during the implementation of the PSPO.</p>
GENDER REASSIGNMENT	
Details of impacts identified	<p>Neutral</p> <p>At this stage, we do not have any data to suggest that this group would be any more or less likely than the rest of the population to breach the terms of the proposed PSPO. Therefore, it is anticipated that the proposal will not have a disproportionate impact on this protected characteristic We will mitigate any potential equality gaps or issues by capturing the necessary information tailored towards the protected characteristic during the implementation of the PSPO.</p>
MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	<p>Neutral</p> <p>At this stage, we do not have any data to suggest that this group would be any more or less likely than the rest of the population to breach the terms of the proposed PSPO. Therefore, it is anticipated that the proposal will not have a disproportionate impact on this protected characteristic We will mitigate any potential equality gaps or issues by capturing the necessary information tailored towards the protected characteristic during the implementation of the PSPO.</p>

3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

Yes
Age

- All members of the community are treated fairly and equally regardless of age. Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant service that can offer support.
- Young People – will be referred into safeguarding mechanisms and under 18's parents/guardians will be spoken with where necessary.
- Before the commencement of the PSPO, officers (Brent Council and Police) will be educated on organisation's equal opportunities and diversity policies. The aim and objectives of the PSPO is to keep the borough safe and clear of obstruction by focussing on vehicles, being used a nuisance, which is or is likely to cause harassment, alarm or distress to the community.

Disability

- Vulnerability checks will be conducted on all individuals at the warning stage. We would address any disability concerns, put additional support measures in place if required through prevention, education and sign posting to relevant services, and improve accessibility. Often a mental health condition or learning disability may be adversely affected. Behaviour may be mistaken as disorderly when it is linked to a disability.
- Under 16's will be referred into safeguarding mechanisms and parents/guardians will be spoken with where necessary.
- Ensure partnership working with Community MARAC for extreme vulnerability that needs multi agency intervention

Race

- All members of the community are treated fairly and equally regardless of race.
- The notice will have a clear pictorial representation showing the various prohibitions not permitted in the area.
- Both the police and council officers undergo diversity awareness training and are aware of their organisation's equal opportunities and diversity policies and procedures.
- Romany Gypsies and Irish Travellers are legally recognised as ethnic groups, and protected from discrimination by the Equality Act 2010 and the Human Rights Act 1998

Sex

- All members of the community are treated fairly and equally regardless of gender. Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant service that can offer support.

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

There was also direct representation made by the Brent Cycling Campaign who felt the inclusion of electrically assisted pedal cycles (EAPCs) particularly used by older people in parks and open spaces, could be penalised under the order. However, this would fall outside the scope of enforcement, as EAPCs are not considered motorised vehicles and therefore exempt from the prohibition of motorised vehicles in parks and open spaces. The Council's position was clarified to Brent Cycle Campaign.

There was also representation made by the Safer Neighbourhood Board in relation to removing the lantern prohibition which has since been reversed. They also wanted to ensure

that e-scooters would not be included as a vehicle that would be permitted in parks because of the potential injuries to pedestrians. As per the paragraph above, only EAPCs would be included as they are not considered a motorised vehicle. In addition, they wanted the consumption of alcohol to be included in all parks and open spaces and not just the five parks within the current parks PSPO. This has already been recommended.

Finally, a suggestion was made to ensure that a noise prohibition is included in the PSPO in relation to persons who make noise in the park. Having spoken to the manager for the Neighbourhood Patrol officers, this would be difficult to enforce in some circumstances. In order to balance the needs of park users and those residing in close proximity, an additional caveat on the motorised vehicles prohibition has been added which states that where implied permission is given for motorised vehicles to enter the car parks that adjoin parks and open spaces, they must be used so as to not cause a nuisance. This includes the revving of engines, playing of music, shouting and horn blowing. An additional caveat was also added to the prohibition relating to unauthorised events and activities where anyone that causes a public nuisance whilst carrying out an unauthorised event/activity would breach the prohibition.

Social media platforms such as Twitter, Facebook, what's app groups, Safer Neighbourhood teams, councillors and council officers were also used to push messages out to people about the consultation.

5. Please detail any areas identified as requiring further data or detailed analysis.

Yes - we will mitigate any potential gaps or issues by capturing the necessary information tailored toward people affected during the implementation of the PSPO.

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

There is potential for negative impacts remaining due to the potential for some groups to be overrepresented. Nevertheless, there will be an ongoing positive requirement to support these groups.

Staff issuing PSPOs will be trained on equality and diversity, and the different needs of residents, equality monitoring questions are asked, and that information is provided in an accessible clear way to residents.

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

This will be monitored through the Brent Joint Action Group (Multi Agency offender management panel) which meets once every month. It will also include monitoring equality characteristics for those in breach of the PSPO.

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

The proposal to adopt a borough-wide Public Spaces Protection Order (PSPO) is in line with this priority. In particular, issues of anti-social behaviour, which includes matters that cause harassment, annoyance and / or nuisance. The Council knows that the majority of those who live, work and visit the borough do keep the area safe and clear of obstruction; however, it wants to ensure where this is not the case that it uses the relevant legislation and approaches to maintain a clean and safe environment.

The behaviours identified for the proposed PSPO include prohibitions listed at the beginning of this document which would go some way in preventing nuisance for people living and working in the London Borough of Brent.

Under Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 Public Spaces Protection Order (PSPO) may be made by the Council after consultation with the Police, Mayor's Office for Policing and Crime, and any other relevant bodies, groups or individuals (such as community leaders or users of a particular area/facility). The PSPO places restrictions and/or requirements on people using the area defined by the PSPO. These can be blanket restrictions or targeted at particular groups (such as dog walkers), or apply at certain times. Breach of a PSPO is a criminal offence that could lead to a fixed penalty notice of £100 or a maximum penalty of £1000 if prosecuted. The creation of the Anti-Social Behaviour (ASB) legislation has given local authorities the opportunity to bring in proportionate measures for a maximum of 3 years and is being adopted by many local authorities in the UK.

For these vulnerable groups where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services.

Where persistent ASB is being committed by any of these vulnerable groups they would be a priority at CSU meetings under – High risk and vulnerable persons and would have additional target support through the Brent Joint Action Group (BJAG). The BJAG is a multiagency panel which meets monthly to tackle ASB and Crime hotspots. Similarly support will also be offered at Community MARAC which supports vulnerable individuals engaged or impacted by anti-social behaviour or crime. We will ensure holistic, multi-agency interventions are applied when dealing with these groups. Enforcement officers will enforce proportionately, assessing each breach on a case-by-case basis with warnings issued in the first instance and fixed penalty notices should there be non-compliance. All individuals issued with warnings will be shared with the Anti-Social Behaviour Team, where background checks on individuals will be conducted with mental health and support services to identify the best course of action and this often will not result in enforcement.

Breach of PSPO

Alcohol Consumption

Failure to comply with the consumption of alcohol prohibition is a criminal offence, subject to a fine not exceeding level two (up to £500) upon prosecution. A warning will be issued upon the first instance of a breach. Further breaches will result in the issuing of a Fixed Penalty Notice (£100), payable within 14 days. If paid within 10 days, a discounted charge of £75 is applied. Payment of the Fixed Penalty Notice discharges liability to conviction for the offence.

All other Breaches

Failure to comply with any other prohibition is a criminal offence, subject to a fine not exceeding level three (up to £1000) upon prosecution. A breach of the PSPO could result in the issuing of a Fixed Penalty Notice (£100), payable within 14 days. If paid within 10 days, a discounted charge of £75 is applied. Payment of the Fixed Penalty Notice discharges liability to conviction for the offence.

The rights of individuals will be respected and all practices carried out lawfully with robust arrangements for support services, interventions, sign posting referrals and welfare assessment with provision of appropriate support as necessary

There will be clear signage within the borough making everyone reasonably aware of the prohibitions. There will also be specific targeted communications, utilising social media and other media outlets to ensure the prohibition is fully understood.

The following articles of the Human Rights Act have been considered:

Article 1: Protection of Property

Point to be considered:

1. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

However, the positive impact would be to safeguard members of the public and the wider community.

Article 2: Right to Life

Point to be considered:

2.2 (b) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained;

The PSPO Prohibition around nuisance recognised as positive to safeguard members of the public and the wider community.

Article 6: Right to a Fair Trial

Everyone charged with a criminal offence has the following minimum rights:

(a) to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;

Article 8: Right to respect for private and family life

Point to be considered:

8.2 There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

The positive impact reduces the risk to members of the community of threat, risk and harm. It can also provide a route into support agencies.

Article 10: Freedom of expression

Point to be considered:

10.2 The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

The positive impact is that the removal of alcohol may modify behaviour and, where relevant, better enable support service engagement.

SECTION D – RESULT

<i>Please select one of the following options. Mark with an "X".</i>		
A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	
B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	X
C	CHANGE / ADJUST THE POLICY/PROPOSAL	
D	STOP OR ABANDON THE POLICY/PROPOSAL	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date

<p>DISABILITY</p> <p>Communication and information provided in accessible to ensure people with a disability that affects communication or information needs understand the proposal – for example making sure information is in large print and Easy Read</p> <p>Training PSPO officers on equality and diversity, including understanding the needs of residents making sure information is in large print and Easy Read</p> <p>As for disability concerns, additional support measures are in place if required through education and sign posting to relevant services to improve accessibility</p>	<p>All disabled groups are reasonably made aware of the order and relevant signage put in place.</p>	<p>Susana Figueiredo</p>	<p>Throughout the duration of the order</p>
<p>SEXUAL ORIENTATION</p> <p>We will mitigate any potential equality gaps or issues by capturing the necessary information tailored towards the protected characteristic during the implementation of the PSPO.</p>	<p>To monitor trends and identify positive requirements, including specific engagement with those groups, should there be an overrepresentation of this group who contravene the prohibition.</p>	<p>Susana Figueiredo</p>	<p>Throughout the duration of the order</p>
<p>RELIGION OR BELIEF</p> <p>We will mitigate any potential equality gaps or issues by capturing the necessary information tailored towards the protected characteristic during the implementation of the PSPO.</p>	<p>To monitor trends and identify positive requirements, including specific engagement with those groups, should there be an overrepresentation of this group who contravene the prohibition.</p>	<p>Susana Figueiredo</p>	<p>Throughout the duration of the order</p>
<p>MARRIAGE & CIVIL PARTNERSHIP</p>			

<p>We will mitigate any potential equality gaps or issues by capturing the necessary information tailored towards the protected characteristic during the implementation of the PSPO.</p>	<p>To monitor trends and identify positive requirements, including specific engagement with those groups, should there be an overrepresentation of this group who contravene the prohibition.</p>	<p>Susana Figueiredo</p>	<p>Throughout the duration of the order</p>
<p>AGE</p> <p>Additional Support measure would be put in place through prevention and education and sign posting to relevant support service that can offer support</p> <p>Young people will be referred into safeguarding mechanisms and under 18's parent / guardians will be spoken with</p>	<p>To monitor trends and identify positive requirements, including specific engagement with those groups, should there be an overrepresentation of this group who contravene the prohibition</p>	<p>Susana Figueiredo</p>	<p>Throughout the duration of the order</p>
<p>RACE</p> <p>The notice will have a clear pictorial representation showing the various prohibitions not permitted in the area to address does that not understand English as their first Language</p> <p>Both the police and council officers undergo diversity awareness training and are aware of their organisation's equal opportunities and diversity policies and procedures</p>	<p>To monitor trends and identify positive requirements, including specific engagement with those groups, should there be an overrepresentation of this group who contravene the prohibition.</p>	<p>Susana Figueiredo</p>	<p>Throughout the duration of the order</p>
<p>SEX</p> <p>We will mitigate any potential equality gaps or issues by capturing the necessary information tailored towards the protected characteristic during the implementation of the PSPO.</p>	<p>To monitor trends and identify positive requirements, including specific engagement with those groups, should there be an overrepresentation of this group who contravene the prohibition.</p>	<p>Susana Figueiredo</p>	<p>Throughout the duration of the order</p>

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Susana Figueiredo
REVIEWING OFFICER:	
HEAD OF SERVICE:	