

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	PSPO Consultations in all Parks Open Spaces Graveyards and Cemeteries
DEPARTMENT:	Community Protection
reworded TEAM:	Anti-Social Behaviour Team
LEAD OFFICER:	Simon Egbor
DATE:	07/08/2019

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 consultation process ran from 04/03/2019 to 18/04/2019 to adopt a borough-wide Public Spaces Protection Order (PSPO) in relation to issues of enviro-crime and anti-social behaviour affecting Brent's parks and spaces which places a huge demand on Council services to address. Ensuring use of the relevant legislation to address such behaviours and sign post individuals to support services.

Responses directly fed into the Policy Co-ordination Group, note and comment for their report to assist in the implementation and shaping the PSPO in all Parks Open Spaces Graveyards and Cemeteries. An example of this is that caveats have been put in place to allow drinking in parks whilst on family/friends picnics (i.e. having glass of wine or beer with food) which is in line with the PSPO as this behaviour is not causing a nuisance. This has been represented in the report which will be submitted to Cabinet for formal approval.

It has also been recognised after the feedback from the consultation that not all nuisance will have enforcement taken on them which will be in line with having a balanced approach going forward when using the PSPO in the Parks Open Spaces Graveyards and Cemeteries and also signposting individual to support services (example of this is rough sleepers).

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

Any person residing or visiting Brent Borough Parks Open Spaces Graveyards and Cemeteries. With the exception of prohibition 13,14,15 all proposed prohibitions are under the existing park byelaws which have been historically unpoliced and outdated.

1. Use of illegal drugs or psychoactive substances (formerly known as legal highs).
2. Consumption of alcohol.
3. Littering (such as cigarettes, bottles, cans, packets, food).
4. Erecting or occupying any shelter, sleeping apparatus or caravan with the intention of residing in it, without the written consent of the London Borough of Brent.
5. Urinating or defecating in a place other than a serviced public convenience.
6. Feeding wildlife.

7. Use of motor vehicles without the written consent of the London Borough of Brent
8. Defacing or damaging fixtures, furniture or other items.
9. Losing control of any dogs.
10. Letting a dog enter an area where a notice specifies that dogs are not allowed, such as a playground.
11. Walking more than 4 dogs at a time.
12. Flying of drones or any other form of model aircraft without the written consent of the London Borough of Brent.
13. Launching sky lanterns that “rely on an open flame to heat the air inside the lantern”
14. Lighting of fires or using barbeques.
15. Use of fireworks without the written consent of the London Borough of Brent.

Within the area described, the following are required: -

16. In the event that a dog defecates, the person responsible for the dog at the time must remove the faeces immediately.
17. Dogs must be kept on a lead in multi-use games areas (MUGA), tennis courts, walled gardens, graveyards, cemeteries and areas where a notice specifies that dogs must be on a lead

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

423 respondents participated in the consultation to introduce a PSPO in all Parks Open Spaces Graveyards and Cemeteries. Direct representation made to the Community Safety Team around the consultation from St Mungos, Crisis, Kilburn Forum and various dog walkers and community groups who predominantly use Paddington Cemetery. All of this fed into shaping the PSPO and has been represented in the report which will be submitted to Cabinet for formal approval. This is typically a good response rate for a consultation as the recent Budget 2019-22 consultation received 275 responses.

We have drawn the average figures of 54% agreeing and 40% disagreeing which show that most participants are in favour of the implementation of all prohibitions proposed under the PSPO. This percentage changes significantly when looking specifically at Dogs and / or Paddington Cemetery. Responses concerned with Paddington Cemetery, 55.5%, disagree or strongly disagree with PSPO. 61.7% disagree with dogs on leads and 72.8% responses concerned with Dogs and Paddington cemetery disagree with the PSPO with the predominant issues being dogs on leads. The overall Consultation findings show that most participants are in favour of the implementation of all prohibitions proposed under the PSPO however, the majority of those not in favour of the PSPO, predominantly objected to the issue of dogs on leads, with the primary aim of contention being Paddington Cemetery.

This proposal is - to tackle crime and in the borough post 2020 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

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

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	
Homelessness			X
Socio-economic issues			X

Negative Impact

Most young people more likely to congregate in parks and open spaces as a means of meeting each other. Men are more likely to congregate in the park and black youth are over represented in drug use using Brent police data.

Socio economic factors could also result in being homeless and sleeping rough. To some this is a choice as they do not wish to engage with support services

2. 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	
Homelessness			X
Socio-economic issues			X

Negative Impact

Most young people more likely to congregate in parks and open spaces as a means of meeting each other. Men are more likely to be engaged in this activity in public spaces. data has shown and over representation of eastern European, Asian and white British groups. Socio economic factors could also contribute negatively been homeless and sleeping rough. To some this is a choice as they do not wish to engage with support services

3. Littering (such as cigarettes, bottles, cans, packets, food).

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	
Homelessness			x
Socio-economic issues			x

Negative Impact

Most young people more likely to congregate in parks and open spaces as a means of meeting each other. Homeless and those who sleep rough are likely to be engaged in this activity. To some this is a choice as they do not wish to engage with support services

4. Erecting or occupying any shelter, sleeping apparatus or caravan with the intention of residing in it, without the written consent of the London Borough of Brent.

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

Homelessness			X
Socio-economic issues			X

Negative Impact

Homeless people of all ages may be more likely to sleep rough in parks. Low income groups of all ages are likely to spend more time in outside without the comfort of suitable accommodation and private space. A disproportionate number of street homeless people suffer mental ill health and addiction, and therefore present a higher risk of breaching the PSPO.

5. Urinating or defecating in a place other than a serviced public convenience.

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	
Homelessness			X
Socio-economic issues			X

Negative Impact

Most young people more likely to congregate in parks and open spaces as a means of meeting each other. Men are more likely to be engaged in this activity. Homeless people of all ages may be more likely to be overrepresented in this activity. Low income groups of all ages are likely to spend more time in outside without the comfort of suitable accommodation and private space. A disproportionate number of street homeless people suffer mental ill health and addiction, and therefore present a higher risk of breaching the PSPO.

6. Feeding wildlife.

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	
Homelessness		X	
Socio-economic issues		X	

Negative Impact

Some religions encourage believers to care for animals including throwing scraps as a way of feeding animals. This might be seen as infringement on their religious beliefs

7. Use of motor vehicles without the written consent of the London Borough of Brent

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	
Homelessness			X
Socio-economic issues		X	X

Negative Impact.

Most young people more likely to congregate in parks and open spaces as a means of meeting each other. Men are more likely to congregate in the park to engage in this activity.

8. 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	
Homelessness			X
Socio-economic issues			X

Negative Impact.

Most young people more likely to congregate in parks and open spaces as a means of meeting each other. Data has shown damage to our parks and open spaces by traveller incursions typically by the Irish Traveller community..

9. Losing control of any dogs.

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	
Homelessness			X
Socio-economic issues			X

Negative Impact

Young people are more likely to be irresponsible dog owners. This could also affect professional dog walkers. The proposed dog control measures may cause dog owners to travel further to walk their dog.

10. Letting a dog enter an area where a notice specifies that dogs are not allowed, such as a playground.

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	
Homelessness			X
Socio-economic issues			X

Negative Impact

This is likely to affect dog owners. It may be perceived by dog owners that the PSPO is affecting their quality of life and that of their pet, through restricted access to some parts of the borough and control measures.

11. Walking more than 4 dogs at a 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	
Homelessness		X	
Socio-economic issues		X	

Negative Impact

Groups of all ages are likely to own multiple dogs and could be affected by the measures included in the PSPO.

The proposed PSPO may affect some dog owners who will need to travel further to walk multiple dogs. The professional dog walkers may feel the PSPO is infringing on their business activities through the restriction of the total number of dogs a person can walk

12. Flying of drones or any other form of model aircraft without the written consent of the London Borough of Brent.

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	
Homelessness		x	
Socio-economic issues		x	

Negative Impact.

Men and young people are more likely to be engaged in this activity.

13. Launching sky lanterns that “rely on an open flame to heat the air inside the lantern”

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	
Homelessness		x	
Socio-economic issues		x	

Negative Impact

Some Asian or religious groups might go through religious rituals by launching sky lanterns. This might be seen as infringement on their religious beliefs

14. Lighting of fires or using barbeques.

Characteristic	IMPACT		
	Positiv	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	
Homelessness		x	
Socio-economic issues		x	

15. Use of fireworks without the written consent of the London Borough of Brent.

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	
Homelessness		x	
Socio-economic issues		x	

Negative Impact

Most young people and men are more likely to congregate in the park to engage in this activity. Religious groups are likely to be over represented in this activity during religious celebrations however use of fireworks will be licenced in some parks.

16. In the event that a dog defecates, the person responsible for the dog at the time must remove the faeces immediately.

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
Homelessness			x
Socio-economic issues			x

Negative Impact

This activity will affect the same cohort for walking more than 4 dogs at a time (as above).

17. Dogs must be kept on a lead in multi-use games areas (MUGA), tennis courts, walled gardens, graveyards, cemeteries and areas where a notice specifies that dogs must be on a lead

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	
Homelessness			x
Socio-economic issues			x

Negative Impact

This activity will affect the same cohort for walking more than 4 dogs at a time (as above).

5. Please complete **each row** of the checklist with an "X".

SCREENING CHECKLIST		
	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council's public sector equality duty?	Yes	
Does the policy or proposal relate to an area with known inequalities?	Yes	
Would the policy or proposal change or remove services used by vulnerable groups of people?		NO
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	Yes	
If you have answered YES to ANY of the above, then proceed to section B. If you have answered NO to ALL of the above, then proceed straight to section D.		

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.

Community Safety Strategic Assessment which shows young black males being overrepresented in drug use and supply.

Ongoing enforcement data of the Borough wide PSPO which shows an overrepresentation of males, Eastern European and some vulnerable cohorts from Black and Asian communities.

Public realm data for the financial year which has shown large encampments in the summer, predominantly Romanian groups.

Black, Asian and Minority Ethnic was under represented in the consultation as only 16.5 % responded. Black Africans 0.94% and the Gypsy/ Roma 0%. However Eastern European were 0.7%.

Consultation was sent to Romanian charities within Brent to inform about the PSPO. Social media platform such as twitter, Facebook were also used to push messages out to young people about the consultation. Local police teams also did visit to locations where the young people hand out in the priority wards. There will also be contact made with the London gypsy traveller organisations.

Representatives of St Mungos and Crisis – Charities that deals with homelessness in the borough were made aware of the consultation.

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>Young people may be more likely to congregate in parks and open spaces.</p> <p>Homeless people of all ages may be more likely to sleep rough in parks Low income groups of all ages are likely to spend more time in outside without the comfort of suitable accommodation and private space.</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. Also a separate communications plan will be developed to ensure awareness raising through social media platforms which young people use.</p>
DISABILITY	

<p>Details of impacts identified</p>	<p>Information will need to be communicated in an accessible way to ensure people with a disability understand the changes and are not adversely impacted.</p> <p>Also there are risks of a behaviour being interpreted as disorderly when it is actually linked to a disability or mental health condition.</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>
<p>RACE</p>	
<p>Details of impacts identified</p>	<p>Young black males are over-represented in drug use and supply.</p> <p>Some ethnic groups (e.g. Eastern European and Gypsy Roma Travellers) are over-represented as homeless households in Brent.</p> <p>Brent data also shows that Black Africans make up 21% of current accepted homeless households compared to 7.9% in the wider borough (Source: 2016 population from GLA)</p> <p>Groups may there be adversely impacted by the following:</p> <ul style="list-style-type: none"> Drugs Alcohol Littering Erecting tents/shelter Urinating outside Launching fires or BBQs Defacing or damaging fixtures <p>Note Gypsy, Roma and Travellers cannot get insurance on gypsy sites generally.</p> <p>Data obtained regarding homeless shelters in our parks has confirmed this to predominantly men and Eastern European. The mitigating actions to address this will be making local eastern European charities aware of the order, visual signs to ensure prohibitions are understood universally and signposting individuals to organisations such as the Gypsy Roma Traveller people, as well as other local organisations and sources of support such as the Hubs, AA, St Mungo's, St Giles, Brent services, Citizens Advice, disability organisations such as Mind and Mencap using the relevant referral forms.</p>
<p>SEX</p>	

Details of impacts identified	<p>Data on male and female homeless households. Men may be more likely to be living in tents outside. They way priority housing need is established under the relevant legislation gives priority to pregnancy and children. People may be homeless because of domestic abuse. Important to be able to signpost to homeless shelters and domestic abuse support.</p>
SEXUAL ORIENTATION	
Details of impacts identified	<p>No data was obtained in relation to the consultation.</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>Data on pregnant women who are homeless / in receipt of housing benefit. Signpost to the Hubs and Citizens Advice for support. 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>No data was obtained in relation to the consultation.</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 toward the protected characteristic during the implementation of the PSPO.</p>
GENDER REASSIGNMENT	
Details of impacts identified	<p>54.2% of those who agreed with the PSPO were non-reassigned and 0.69% were. 45% didn't say yes or no to the answer. We will mitigate any potential equality gaps or issues by capturing the necessary information tailored toward the protected characteristic during the implementation of the PSPO.</p>

MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	<p>No data was obtained in relation to the consultation.</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.</p>

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

<p>Yes</p> <p>Age</p> <ul style="list-style-type: none"> 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. We would utilise a multi-agency approach through St Mungos / Westminster Drug Project (WDP) and Safer Neighbourhood Team (SNT) to provide necessary advice and support serves as a means of prevention and education individuals on the PSPO. The agencies will consider the support needs of each individual including their housing situation, physical and mental health needs. An appropriate plan put in place to move people off the streets and into accommodation and support. Where engagement with the large number of local support services fails, enforcement action may be taken. This approach balances the needs of the individual, principally substance misuse, physical and mental health concerns, with the need to tackle anti-social behaviour, respond effectively to complaints from the public and take action against illegal activities Young People – will be referred into safeguarding mechanisms and under 18's parents/guardians will be spoken with. <p>Disability</p> <ul style="list-style-type: none"> Vulnerability checks will be conducted on all individuals at the warning stage. We would address any disability concerns and 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
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- Under 16's will be referred into safeguarding mechanisms and parents/guardians will be spoken with where necessary.
- Ensure partnership working with Brent Outreach team to have continued access to single Homeless team, community services such as WDP (drug and alcohol service) the mental health support team and 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
- Offer assistance to the individuals identified as sleeping rough by engaging with Brent Outreach service negating the need for enforcement action under the PSPO.
- Refer to services that can offer additional support to individuals with no recourse to public funds or EEA individuals e.g. Thames reach. St Mungos,
- Utilising services that can offer assistance to individuals of Eastern European ethnicity and any other ethnicity identified. This will include working with the Partnerships Engagement Team who specifically have a team engaging with the Eastern European community.

Sex -

- Offer assistance to the individuals identified as sleeping rough by engaging with Brent Outreach service negating the need for enforcement action under the PSPO.
- Refer to services such as Advance that help issues around Domestic Violence

Pregnancy And Maternity

- This would be picked up in any welfare assessment carried out and referred into safeguarding mechanisms.
- Refer to children's services to ensure the welfare of the unborn child.
- Refer to services such as Brent Advance to help with concerns around Domestic Abuse.

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

Black, Asian and Minority Ethnic was under represented in the consultation as only 16.5 % responded. Black Africans 0.94% and the Gypsy/ Roma 0%

Consultation was sent to Romanian charities within Brent to inform about the PSPO. Social media platform such as twitter, Facebook were also used to push messages out to young

people about the consultation. Local police teams also did street briefings at locations where the young people hang out in the priority wards.

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 arguments already raised about 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, that 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) for Council parks, open spaces, graveyards and cemeteries is in line with this priority. In particular, issues of enviro-crime and 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 clean and safe; 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.

There has been historic lack of enforcement of Brent's current byelaws which were implemented in 1977. In recent years funding cuts to park wardens have left many of our open areas unmanned, leading to an increase in forms of anti-social behaviour, including a rise in

rough sleeping and substance misuse issues where the council's approach is always to support and safeguard vulnerable cohorts in line with our duty of care principles.

Section 70 of the Anti-Social Behaviour Crime and Policing Act 2014 allows for a PSPO to supersede any byelaw once in operation and the maximum fine for breach of Brent's byelaws is £20 which is currently not enforced. 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. Section 70 of the Anti-Social Behaviour Crime and Policing Act 2014 allows for a PSPO to supersede any byelaw once in operation and the maximum fine for breach of Brent's byelaws is £20 which is currently not enforced. 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. 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. A further breach of the warning could result in a £100 fine.

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 in all parks and open spaces 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 (example drinking a can of beer) 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

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>Tara Benham</p>	<p>September 2019</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</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>Dennis Lewis</p>	<p>Throughout the duration of the order</p>

during the implementation of the PSPO.			
RELIGION OR BELIEF 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.	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.	Dennis Lewis	Throughout the duration of the order
MARRIAGE & CIVIL PARTNERSHIP 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.	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.	Dennis Lewis	Throughout the duration of the order
Age Additional Support measure would be put in place through prevention and education and sign posting to relevant support service that can offer support Young people will be referred into safeguarding mechanisms and under 18's parent / guardians will be spoken with	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.	Dennis Lewis	Throughout the duration of the order
Race 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	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.	Dennis Lewis	Throughout the duration of the order

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>Sex</p> <p>Offer assistance to the individuals identified as sleeping rough by engaging with Brent Outreach service negating the need for enforcement action under the PSPO.</p> <p>Refer to services such as Advance that help issues around Domestic Violence</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.	Dennis Lewis	Throughout the duration of the order

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Simon Egbor
REVIEWING OFFICER:	Natalie Gordon
HEAD OF SERVICE:	Karina Wane