



**EQUALITY IMPACT ASSESSMENT**

**Banbury Town Centre Public Spaces Protection Order (PSPO)**

**Executive – October 2019**

## Equality Impact Assessments

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**APPENDIX 1 STAGE 1 - INITIAL SCREENING DETAILS ASSESSING POLICIES AND ACTIVITIES - GUIDANCE FOR STAFF**

Notes:

1. As a result of this exercise, you will have checked that your policy or activity does not have adverse impact on equality groups and you will have identified relevant action that you need to take, and the likely costs/resources associated with any improvement. The equality groups covered are at present: Disability, Gender Reassignment, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, Age & Marriage or Civil Partnership.

**Note. This is not simply a paper exercise - it is designed to make sure that your policy or activity is delivered fairly and effectively to all sections of our local community.**

2. Please note that the Council is required to publish the results of these assessments, and updates, therefore **your completed Appendices may be public documents.**
3. Appendix 1 questionnaire (**to be completed for each relevant Strategy, Policy or Service Development**) is for use regardless of whether your policy or activity is aimed at external customers or internal staff.

Please tick/delete as appropriate: Is this EIA for a,

<b>Strategy</b>		<b>New/Existing</b>	<input checked="" type="checkbox"/>
<b>Policy</b>	<input checked="" type="checkbox"/>	<b>New</b>	<input type="checkbox"/>
<b>Service Development</b>	<input type="checkbox"/>	<b>New/Existing</b>	<input type="checkbox"/>

**Name of Strategy, Policy or Service Development:** Banbury Town Centre Public Spaces Protection Order (PSPO)

**AIMS, OBJECTIVES & PURPOSE OF THE POLICY OR ACTIVITY:**

To propose the renewing of a Public Spaces Protection Order (PSPO) in Banbury Town centre to prevent the detrimental effect of begging, drinking and sleeping rough on those who reside, work and visit the town centre.

**PLEASE LIST THE MAIN STAKEHOLDERS/BENEFICIARIES IN TERMS OF THE RECIPIENTS OF THE ACTIVITY OR THE TARGET GROUP AT WHOM THE POLICY IS AIMED:**

The Banbury Town Centre community, including those who work in and visit the town.

**IF THE ACTIVITY IS PROVIDED BY ANOTHER DEPARTMENT, ORGANISATION, PARTNERSHIP OR AGENCY ON BEHALF OF THE AUTHORITY, PLEASE GIVE THE NAMES OF THESE ORGANISATIONS/AGENCIES:**

Cherwell District Council and Thames Valley Police

**LEAD OFFICER:** Richard Webb  
**SERVICE AREA:** Regulatory Services and Community Safety  
**ASSESSMENT DATE:** 23/10/2019

**TEL:** 01295 221932  
**DIRECTORATE:** Environment  
**ASSESSMENT REVIEW DATE:** 23/10/2020

## STAGE 1 – INITIAL SCREENING ASSESSMENT

Q	Screening Questions	Y/N
1.	Does the policy or activity knowingly prevent us in anyway from meeting our statutory equality duties under the 2010 Equality Act?	<b>N</b>
2	Is there any evidence that any part of the proposed policy or activity could discriminate unlawfully, directly or indirectly, against particular equality groups?	<b>N</b>
3	Is there any evidence that information about the policy or activity is not accessible to any equality groups?	<b>N</b>
4	Has the Council received any complaints about the policy or activity under review, in respect of equality issues?	<b>N</b>
5	Have there been any recommendations in this area arising from, for example, internal/external audits or scrutiny reports?	<b>N</b>
6	Will the proposed policy or activity have negative consequences for people we employ, partner or contract with?	<b>N</b>
7	This Strategy, Policy or Service Development has an impact on other council services i.e. Customer Services and those services have not yet been consulted.	<b>N</b>
8	Will there be a negative impact on any equality groups? If so please provide brief details below.	
	Equality Impact:                      Evidence:	
	Disability	<b>N</b>
	Gender Reassignment	<b>N</b>
	Pregnancy & Maternity	<b>N</b>
	Race	<b>N</b>
	Religion or Belief	<b>N</b>
	Sex	<b>N</b>
	Sexual Orientation	<b>N</b>
	Age	<b>N</b>
	Marriage & Civil Partnership	<b>N</b>
9	Is the proposed policy or activity likely to have a negative affect on our relations with certain equality groups or local community? If so please explain.	<b>N</b>
10	There has been no consultation with equality groups about this policy or activity? Answer yes if you agree with this statement. If there has been consultation, please list the equality groups you have consulted with: Public Consultation via on-line survey, engagement events in the town centre and mailshot to all addresses in the affected area.	<b>N</b>
11	Has this assessment missed opportunities to promote equality of opportunity and positive attitudes?	<b>N</b>
12	The Council has not paid due regard to rights of the freedom of expression and assembly as per the Human Rights Act.	<b>N</b>

Please detail below your evidence which has determined whether you have answered either Yes or No to the initial screening questions.

Screening Questions	Screening Narrative
Does the policy or activity knowingly prevent us in any way from meeting our statutory equality duties under the 2010 Equality Act?	No, renewal of the PSPO does not impact on the Council meeting its statutory duties under the Equality Act 2010.
Is there any evidence that any part of the proposed policy or activity could discriminate unlawfully, directly or indirectly, against particular equality groups?	<p>The Order has been in effect for 3 years without any evidence of discrimination being identified.</p> <p>This order will affect only those that breach the order specifically, begging which is a criminal offence, rough sleeping and drinking alcohol in the prohibited area.</p> <p>This order is pertinent to the community as a whole, no specific groups are affected.</p> <p>With regard to rough sleeping and homelessness individuals have the legal right to make a formal homeless application so the local authority can assess what, if any, statutory duties may be owed to them and what support can be provided. Only those who are deemed to be in 'priority need' as defined by the legislation are owed statutory emergency accommodation duties.</p> <p>For those who are not owed statutory accommodation duties the authority there is emergency provision via the Oxfordshire Homeless Pathway. Preference for access to the pathway is for those who are verified as rough sleeping and in order to comply with this Cherwell fund an Outreach Team who engage with anyone identified as rough sleeping. Once an individual's circumstances are verified they are advised of their options and the appropriate referrals are made.</p> <p>The Outreach Team also keep track of 'entrenched' rough sleepers who may previously have refused offers to enter services. Should these individuals change their minds referrals can then be made quickly.</p>
Is there any evidence that information about the policy or activity is not accessible to any equality groups?	The order will be communicated via the Cherwell District Council website and social media sites, local press, Thames Valley Police website, on street signage and physical officer presence. The Order has been in place for 3 years already and therefore renewing the Order does not introduce new restrictions or requirements.
Has the Council received any complaints about the policy or activity under review, in respect of equality issues?	No, no formal complaints regarding the potential PSPO have been received.
Have there been any recommendations in this area arising from, for example, internal/external audits or scrutiny reports?	No, no recommendations regarding the potential PSPO have been received.

Will the proposed policy or activity have negative consequences for people we employ, partner or contract with?	No. The PSPO (if renewed) will continue to provide the Police and the Council with the opportunity to tackle anti-social behaviour and criminality in the day and night time economies.
This Strategy, Policy or Service Development has an impact on other council services i.e. Customer Services and those services have not yet been consulted.	Relevant services within the council have been consulted. The bulk of the enforcement will fall upon the local police and the Community Safety team. Housing Services are in support of the PSPO continuing.
Will there be a negative impact on any equality groups?	This order will not affect those who fall within the Protected Characteristics identified within the Equality Act 2010 unless they breach the PSPO.
Is the proposed policy or activity likely to have a negative effect on our relations with certain equality groups or local community? If so, please explain.	No, this order will not affect those who fall within the Protected Characteristics identified within the Equality Act 2010 unless they breach the PSPO. The results of the public consultation indicate a greater than 80% support for the continuation of the begging and street drinking elements of the order and a greater than 60% support for the rough sleeping element of the order.
There has been no consultation with equality groups about this policy or activity? Answer yes if you agree with this statement. If there has been consultation, please list the equality groups you have consulted with:	The council conducted a wide public consultation for a period of 6 weeks including those who work, reside and visit the Banbury Town Centre. The consultation also included Thames Valley Police and local religious, community and homelessness organisations. It also included the organisations involved in supporting people who are, or may be, rough sleeping.
Has this assessment missed opportunities to promote equality of opportunity and positive attitudes?	No, the initial order included a working panel to discuss and inform the construction of the proposed order seeking advice from key professionals including legal, consultation, equalities, housing needs, safeguarding, community engagement and Thames Valley Police.  The proposed renewal was circulated for consultation to all interested and relevant parties.
The Council has not paid due regard to the rights of the freedom of expression and assembly as per the Human Rights Act.	Those who wish to express their opinions in a public forum or assemble for a lawful protest will not be affected by this order.

## Declaration

I am satisfied that an initial screening has been carried out on this policy or activity and an In Depth (Full) Equality Impact Assessment is not required. I understand that the EIA is required by the Council and take responsibility for the completion and quality of this assessment.

Completed by: **Steve Johnson**

Date: **23/10/2019**

Countersigned by Assistant Director: **Richard Webb**

Date: **24/10/19**

