

CABINET – 17TH SEPTEMBER 2020

Report of the Head of Neighbourhood Services Lead Member: Councillor Leigh Harper-Davies

Part A

ITEM PUBLIC SPACE PROTECTION ORDER - LOUGHBOROUGH TOWN CENTRE

Purpose of Report

This report seeks approval to extend the current Public Spaces Protection Order (PSPO) for Loughborough Town Centre for a further three year period.

Recommendation

1. That approval is given to the extension of the current PSPO for Loughborough Town Centre for a further 3 years from October 20th 2020 as drafted in Appendices 1 and 2.
2. That the Head of Neighbourhood Services, in consultation with the Lead Member, be given delegated authority to extend the Order if there are no major changes required to the Order at the renewal time (October 2023), following the required consultation.

Reason

1. To enable the current PSPO for Loughborough Town Centre to be extended.
2. To enable renewal of the PSPO if there are no major changes required.

Policy Justification and Previous Decisions

The Council's Corporate Strategy 2020-2024 makes a commitment to work with partners to make our towns and villages safer places to live, work and visit. This action meets with the Council's value for working together: 'We work together as one council and in partnership with openness and integrity'. It also meets with the Council's value 'Pride in Charnwood': 'We take pride in our work and Borough always striving for improvement'.

The Charnwood Community Safety Partnership Plan 2020 – 2023 has as one of its themes 'Making Communities Safer' and one of the priorities under this theme is 'Proactively tackle all ASB with a focus on reducing alcohol / substance misuse related incidents and street related ASB', which the extension of the PSPO contributes to.

The original Loughborough Town Centre Designated Public Places Order (DPPO) was first established in 2003 and has been regularly reviewed since that time. The Anti-Social Behaviour Crime and Policing Act 2014 introduced Public Spaces Protection

Orders to last for up to 3 years. The existing Loughborough Town Centre DPPO automatically transitioned to a PSPO in October 2017 for a 3 year period, ending 19th October 2020.

Implementation Timetable including Future Decisions and Scrutiny

If Cabinet approval is granted and following the call-in period, the PSPO Loughborough Town Centre will be signed and the Order made and come into effect from October 20th 2020 for a further three years and be published on the Council’s website.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no financial implications for the report. The cost of any additional signage will be covered from existing budgets.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
That approval is not given to extend the PSPO and therefore it would cease on October 20 th 2020	Very Unlikely (1)	Serious (3)	Low (3)	Report outlines clear case for proposed extension
Failure to go through due process and consultation could lead to legal challenge on the validity of the PSPO	Unlikely (2)	Serious (3)	Moderate (6)	All required consultation has been undertaken and there is support for the PSPO to be extended

Equality and Diversity

A copy of the associated Equality Impact Assessment is attached at Appendix 4.

Crime and Disorder

PSPOs are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community’s quality of life, by imposing conditions on the use of that area which apply to everyone.

The PSPO will add clarity to people living and visiting Loughborough Town Centre about expectations in relation to alcohol related anti-social behaviour in public places.

Key Decision: No

Background Papers: None

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Part B

Background

1. The Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act') contains the provision for Public Spaces Protection Orders provision. Public Space Protection Orders are intended to deal with a particular nuisance or problem in a particular area, that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from antisocial behaviour. PSPOs may be used to replace or update existing public space restrictions such as alcohol Designated Public Place Orders and Dog Control Orders.
2. Charnwood Borough Council has the authority to draft and implement a PSPO in accordance with *sections 59 to 65 of the 'Anti-Social Behaviour Crime and Policing Act 2014'*. In line with *section 72 of the Act*, before introducing or extending a PSPO the Council must first carry out consultation with the Chief Officer of Police, the Police and Crime Commissioner, the owners and occupiers of any land included in the PSPO, which is not in Council ownership and wider consultation with representatives from the local community. It must also publish the draft PSPO in accordance with Statutory Regulations.
3. In line with *Section 60, Anti-Social Behaviour, Crime and Policing Act 2014*, a PSPO may not have effect for a period of more than 3 years unless extended. The existing PSPO within Loughborough Town Centre, expires on 19th October 2020, unless extended.
4. Under *section 59* of the Act, a PSPO can be made by the Council if they are satisfied on reasonable grounds, that the activities carried out, or are likely to be carried out, in a public space: -
 - have had, or will have, a detrimental effect on the quality of life of those in the locality;
 - is, or is likely to be, persistent or continuing in nature;
 - is, or is likely to be, unreasonable; and
 - justifies the restrictions
5. When assessing what is 'unreasonable' activity, the Council needs to balance the rights of the community to enjoy public spaces without ASB, with the civil liberties of individuals and groups who may be affected by any restrictions imposed.
6. Charnwood Borough Council can make a PSPO in respect of any public space within its administrative boundary. The definition of public space is wide and includes, 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.
7. Appeals against a PSPO can be made in the High Court within six weeks of issue by anyone who lives in, or regularly works in or visits the area. Further appeals can be made if a PSPO is varied by a local authority.

8. The restrictions and requirements included in a PSPO may be wide ranging or targeted on specific behaviours by groups and/or at specified times. It must be based on the evidence of that behaviour.
9. Orders can be enforced by Police Officers, PCSOs or designated Council Officers.
10. It is an offence under *section 67 of the Act*, to breach an Order without reasonable excuse, and where Orders prohibit alcohol consumption, it is an offence under *section 63* to fail to comply with a request not to consume or not to surrender alcohol (or what is reasonably believed to be alcohol / a container for alcohol).
11. A breach of the PSPO under *section 67 of the Act*, can be dealt with through a Fixed Penalty Notice issued by authorised officers. For the breach of an alcohol prohibition (*section 63*), a level 2 fine (up to £100) can be imposed. Upon summary conviction, if the offender has refused to pay the fine, the sanction can be raised to a level 3 fine at Magistrates Court.
12. In establishing a PSPO, appropriate signage must be displayed in accordance with the requirements of the Act. Signage already exists in Loughborough Town Centre, but will be reviewed as part of this process and be funded from existing budgets.

Current Loughborough Town Centre PSPO

13. The current Loughborough Town Centre Public Space Protection Order (PSPO) came into effect on the 20th October 2017, when the existing Alcohol Designated Public Place Order (DPPO) automatically transferred into a PSPO, following the introduction of the *ASB, Crime and Policing Act 2014*. The current PSPO is valid for a period of 3 years, from the date of implementation, hence it will expire on 19th October 2020, unless extended.
14. The current PSPO helps deal with the specific problem of alcohol related anti-social behaviour in a designated public place, defined by the wording of the Order and the attached map at *Appendix 1 and 2*.
15. This Order does not place a total ban on the consumption of alcohol within the designated public place. The offence is only committed when, under *section 63 of the Act*, a person who is consuming alcohol and engaging in behaviour that is causing, or likely to cause nuisance and annoyance, fails to comply with a request to cease drinking or to surrender the alcohol. The request to desist in the behaviour and subsequent request to cease drinking / surrender alcohol can only be made by a Police Officer, PCSO or designated Council Officer.
16. A breach of the PSPO *under section 67 of the Act* is a criminal offence and merits a level 2 fine when issued with a Fixed Penalty Notice (FPN). A level 3 fine can be issued upon summary conviction at the Magistrates Court for failure to pay the FPN.
17. In practice, if the person who is consuming alcohol and is engaging in anti-social behaviour, follows the instruction of the designated officer, then no further action

would be required. Words of advice would be administered by the designated officer, in respect of the person's behaviour and the alcohol confiscated.

18. Loughborough Town Centre currently has a PSPO in place as well as two Town Centre Injunction Orders. The Town Centre Injunction contributes to tackling the prolific and persistent perpetrators of street related Anti-Social Behaviour (ASB) in Loughborough Town Centre.
19. There is a need to keep both the PSPO in force as well as the Town Centre Injunctions as they are focused enforcement tools for two very different types of ASB and perpetrator.
20. The PSPO is a proportionate and effective enforcement tool and places a restriction upon all members of the public who enter the designated zone. Hence the Loughborough Town Centre PSPO tackles alcohol fuelled anti-social behaviour, such as transient noise issues and other rowdy, lower level ASB. The restrictions apply to all members of the public who are within the designated zone.
21. The Town Centre Injunction Order, in contrast to the PSPO, also applies to a designated zone, but only applies to targeted individuals who have been served with the notice restricting their street related anti-social behaviour within the designated locality.
22. The Civil Injunction was granted after the Council applied to the County Court evidencing a concerning rise in begging, open drug taking as well as several other types of street related ASB. The Civil Injunction is targeted to known offenders and specifically applies to their behaviour. This Order gives powers to the Council and Police to take robust enforcement action against persistent and prolific offenders and has a power of arrest attached. In the past two years 5 persistent perpetrators of ASB have received a prison sentence as a result of breaching the Town Centre Civil Injunction. This Civil Injunction targets the area where this type of ASB is causing a nuisance and alarm to members of the public and businesses alike. The exclusion zone in respect to this Injunction covers a much smaller area of Loughborough, mainly the Town Centre, Queens Park, Southfields Park, the Leisure Centre and Steeple Row.
23. After discussion with partners and following the required consultation, there are no proposals to vary the terms of the existing PSPO or alter the current designated area.

Community Consultation Feedback on extending the Public Space Protection Order in Loughborough Town Centre

24. Following the approval of Cabinet on the 4th June 2020, a community consultation process has now been completed in respect of the Public Space Protection Order (PSPO) located within Loughborough Town Centre in accordance with statutory guidelines and detailed in Section 72, of the Anti-Social Behaviour, Crime and Policing Act 2014 and as set out in the Cabinet report.
25. The consultation commenced on 24th July 2020 and ended on the 7th August 2020. The analysis of completed surveys illustrates the following:

- 129 members of the public completed the survey
- 85% were residents within Charnwood
- 3% were individuals who worked in Loughborough
- 3% were local businesses
- 2% were representatives of local community groups
- 2% were visitors to the town centre
- 69% felt 'safe' or 'very safe' in Loughborough during the day
- 22% felt 'safe' or 'very safe' in Loughborough during the night
- 33% felt that drinking on the street was a problem
- 96% stated they supported the continued use of the PSPO
- 69% were happy with the current boundaries of the designated zone
- 56% of respondents were female/ 44% male
- 65% of respondents were aged between 45 – 65+ years

26. The consultation demonstrates that there is significant public support in respect of the utilisation of the current PSPO aimed at tackling alcohol related anti-social behaviour in Loughborough town centre.

27. The data set provided by the consultation process highlights that members of the public continue to feel safe during the day within Loughborough Town Centre with 69% affirming that statement. This represents a +2% increase in confidence ratings since the exercise was completed in 2018, when the response rate at that time was 67%.

28. There has been a reduction of -4% in the confidence ratings of members of the public feeling safe at night in Loughborough, with the current consultation process returning a response of 22% compared to 26% in 2018. Further analysis of this question shows that many respondents are concerned in terms of street related anti-social behaviour, namely in the guise of persistent begging, alcohol fuelled disorder and youth related incidents. The feedback received in this reduced confidence rating would further corroborate the need for the Council to extend the PSPO to 20th October 2023.

29. The survey shows that 69% of the respondents are happy with the current boundaries of the designated PSPO Zone as highlighted in *Appendix 2 and 3* of this report. Some responses have made reference to extending the boundary, however, it must be noted that alongside the PSPO, sits the designated zone of the Civil Injunction which Charnwood Borough Council has in situ, to prevent street related ASB within the town centre. The Civil Injunction includes the localities such as Steeple Row, Southfields Park and the centre of Loughborough Town, which some respondents thought the PSPO should be extended to include. It is therefore recommended that the boundaries of the PSPO designated zone remain unchanged.

Loughborough Community Campus Liaison Group (LCCLG)

30. The Council and partners regularly meet with Loughborough University, Loughborough College, Loughborough local ward councillors, Residents' groups and other key stakeholders to discuss local issues which impact upon the community. One of the regular topics of discussion, within this multi-agency setting, is the continuing issue of alcohol related anti-social behaviour, both house and street related. Whilst there is recognition that this is being tackled proactively, it is still an issue that significantly impacts on residents who live within the designated area of the PSPO. The residents believe there is a continuing need for the PSPO and have stated that measures taken under this proactive tool offers them both reassurance and confidence that their voice is heard. The Council and partners will continue to use this forum as a mechanism to discuss any issues identified.

Evidence

31. Loughborough is a vibrant university town with a significant night-time economy. The Council is committed to making the Town Centre a safe place to live, visit and work. Moreover, there is a statutory duty placed upon the Council to reduce crime and disorder. The PSPO within Loughborough Town Centre is deemed to be both a proportionate and necessary response to tackle alcohol fuelled anti-social behaviour.

32. In line with *Section 59, Anti-Social Behaviour, Crime and Policing Act 2014*, there must be evidence to support the need for a PSPO, hence the following evidence is presented in support of the extension of the current PSPO:

- Whilst there has been an overall decrease in ASB complaints, throughout the current PSPO, of those complaints there has been a +28% increase in the number of ASB complaints, which have alcohol recorded as an aggravation factor
- There have been 1,118 alcohol seizures, within the designated zone, during the current life span of the PSPO
- There has been a reduction of -25% Street Noise Complaints reported within the PSPO Zone over the last three years.
- There have been 100 Pastoral interventions taken by agencies (Student Street Support Scheme / Street Pastors) to support vulnerable individuals who were drunk and incapable within the designated zone
- 693 individuals were advised re their behaviour within the PSPO location

33. The above data supports the requirement to have an effective PSPO within the designated zone. The increase in recorded alcohol fuelled ASB (+28%) is as a result of a more robust recording process being implemented in 2019, to ensure a valid measure of the true nature of the problem profile. Having captured that data, the Partnership has been able to target its approach within the PSPO zone, thereby resulting in a -25% reduction in recorded street noise complaints. Moreover, as is evidenced, there have been significant alcohol seizures and pastoral support provided to vulnerable individuals within the designated zone, all of which has

prevented further complaints and significantly increased the community's confidence in the Council's approach.

34. In fact, a reoccurring theme expressed by the residents within the zone, is their continuing support for the approach of the Council and the positive action taken under the PSPO. They have been very vocal at the LLCLG of how the PSPO has made a positive impact upon the quality of their lives. Hence, without an extension, the PSPO would be duly closed and the Council left open to reputational risk in terms of its failure to demonstrate positive action to tackle identified community concerns in terms of alcohol fuelled ASB.

Education and Campaigns

35. Any enforcement of legislation should be balanced with the need to educate people about the potential sanctions they may encounter if they do not comply with the law. The following campaigns and work is undertaken throughout the year to make people aware of the various legislation and promote how to stay safe.

- The continued support for the Street Pastor Scheme who support users of the Night-time Economy in the current PSPO area
- The continued support for the Student Street Support Scheme to help reduce the number of street noise complaints and provide support and guidance to the users of the Night-time Economy.
- The Alcohol Awareness Campaigns using Social Media to educate and support residents, with the support of Loughborough University and Leicestershire Police.
- The Multi Agency multi-phased plan under Op Lexical with includes Student Hall inputs, Freshers Fayres and multiagency door knocks, to provide information on personal safety and information about the PSPO Zone. This is being revised this year to take Covid-19 into consideration. The majority of events / campaigns will take place virtually or through the use of social media.

Timetable and future stages

36. The timetable for completing the Public Spaces Protection Notice Loughborough Town Centre for Charnwood Borough Council is set out in the table below:

Event	Date	Stage
Cabinet Meeting	4 June 2020	Requesting approval to go out to consultation and Draft PSPO presented to Cabinet.
Consultation Period	6 weeks during June and July 2020	Consultation on the draft PSPO to allow for objections and comments on the PSPO. Published on Charnwood Borough Council website page and in paper format at appropriate places.
End of Consultation Period	August 2020	Review of comments

Cabinet Meeting	17 September 2020	Present findings of consultation and decision made on PSPO. If approved, followed by signing of PSPO and publishing on Council's website
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Appendices

- Appendix 1 Draft Public Spaces Protection Order – Charnwood Borough Council Loughborough Town Centre 2020
- Appendix 2 Map of the Designated PSPO Area
- Appendix 3 Summary of Consultation Responses
- Appendix 4 Equality Impact Assessment

The Anti-Social Behaviour, Crime and Policing Act 2014

20th OCTOBER 2020 – 19TH OCTOBER 2023

The Public Spaces Protection Order – Loughborough Town Centre Charnwood Borough Council 2020

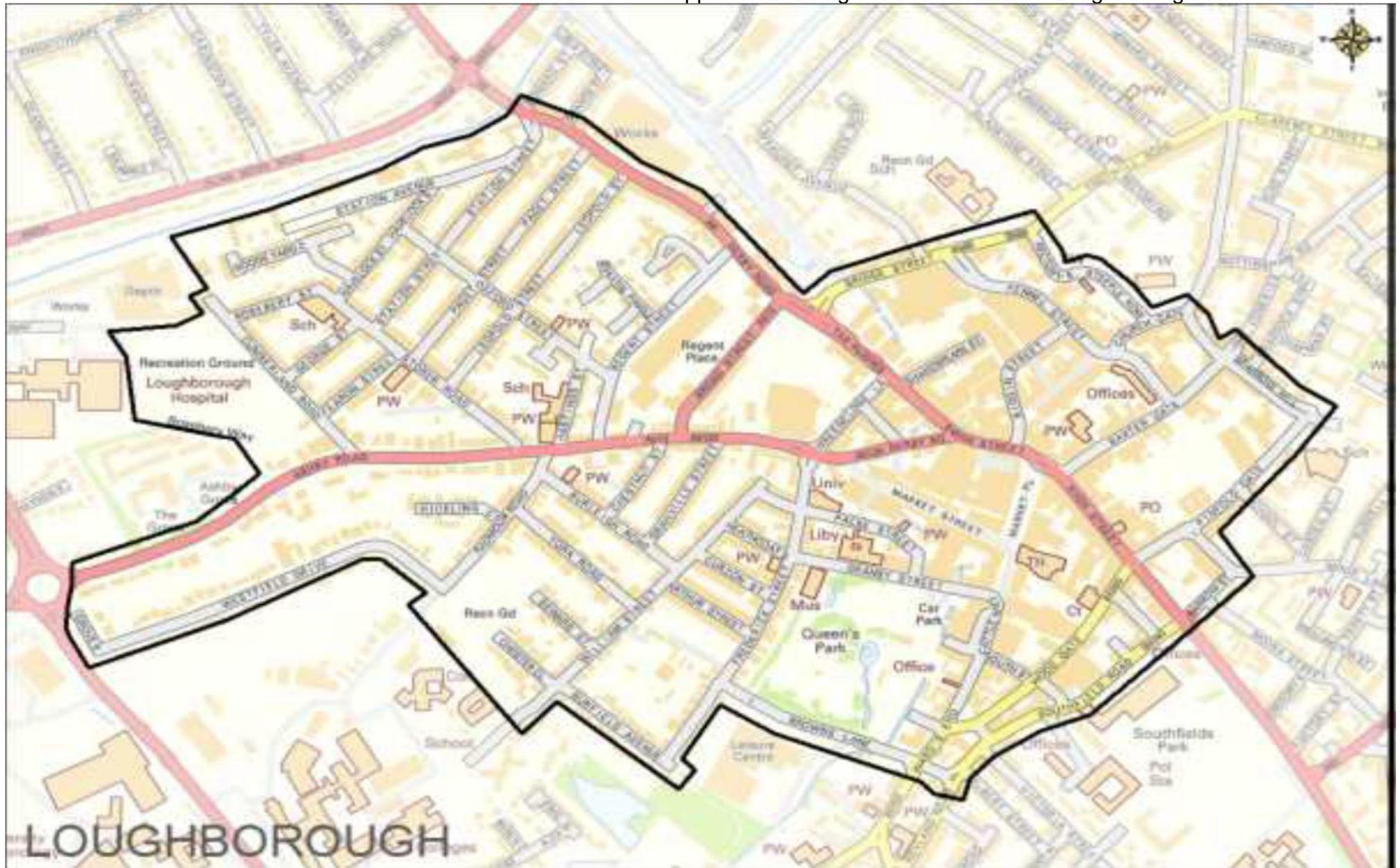
Charnwood Borough Council, Anti-Social Behaviour, Crime and Policing Act 2014 Section 59 Public Spaces Protection Order

1. This Order is made by Charnwood Borough Council (“the Council”) under the Anti-Social Behaviour, Crime and Policing Act 2014, Section 59 (“the Act”).
2. This Order relates to the public spaces edged black on the attached plan in Loughborough Town Centre and Ashby Road Area.
3. The Order may be cited as Loughborough Town Centre Public Space Protection Order (PSPO) and shall come into force for a period of 36 months from the date of this Order, unless extended by further orders under the Council’s statutory powers.
4. The effect of this Order is to prohibit the consumption of alcohol (licensed premises excluded) in a manner which causes, or is likely to cause, a nuisance or annoyance to other persons in the designated locality.
5. The Council is satisfied that the conditions set out in section 59 of the Act have been met, being that:
 - a. activities carried out in the Restricted Areas have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public places and they will have such an effect;
 - b. and the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, and is, or is likely to be, such as to make the activities unreasonable;
 - c. and justifies the restrictions imposed by the Order.
6. Under section 63 of the Act, it will be an offence for a person who, without reasonable excuse, fails to comply with a requirement imposed on him or her under section 63(2) of the Act, namely:
 - a. Consuming alcohol in breach of the Order: or
 - b. Failing to surrender alcohol or container for alcohol within the designated area
7. A person committing an offence under section 63 of the Act, who without reasonable excuse, fails to comply with a requirement imposed by a constable

or authorised person of the Act, is liable to be issued with a fine (FPN) not exceeding level 2 (£100) on the standard scale. A level 3 fine can be issued upon summary conviction at the Magistrates Court for failure to pay the FPN.

8. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date of this Order.

Appendix 2: Designated PSPO Zone – Loughborough Town Centre



Appendix 3 Summary of Consultation Responses

Question	Response				
Which of the following best describes you?	A person who works in Loughborough - 3%	Representative of a local community group - 3%	Visitor to Loughborough (e.g. a shopper, on business, tourist) - 2 %	A local resident who lives in Charnwood – 85%	Other – 5%
How safe do you feel in the day visiting Loughborough town centre?	Very Safe – 22%	Safe – 47%	Neither Safe or Unsafe – 12%	Unsafe – 16%	Very Unsafe – 3%
<p>Overview of Comments</p> <ul style="list-style-type: none"> • A number of individuals stated they had never had any problems during the day • A number of individuals stated that they thought there were people who were drunk and under the influence of drugs everywhere. Constantly being asked for money. • Some respondents stated that they never had any problems 					
How safe do you feel at night visiting Loughborough town centre?	Very Safe – 0%	Safe – 22%	Neither Safe or Unsafe - 26%	Unsafe – 37%	Very Unsafe – 14%
<p>Overview of Comments</p> <ul style="list-style-type: none"> • Drinking and playing music late at night was an issue • Street lighting is poor • Aware of some serious crimes being reported • Some respondents had exposure to anti-social behaviour 					
To what extent do you agree or disagree with the proposal to extend the existing PSPO controls in relation to alcohol related anti-social behaviour in the	Strongly Agree – 85%	Agree – 11%	Neither Agree or Disagree- 2%	Disagree – 1%	Strongly Disagree – 1%

locality for a further three years?						
Overview of Comments <ul style="list-style-type: none"> • There was a need to encourage Loughborough to be a safe place to be. • The Borough Council should continue to control the use/misuse of alcohol anti-social behaviour 						
Do you agree with the current boundaries for the PSPO?	Yes - 69%	No – 31%				
Overview of Comments <ul style="list-style-type: none"> • A number of respondents said that the current PSPO should be extended into Steeple Row, the Parish Green and the area around the Old Rectory Museum. • A number of respondents stated that the area seemed sensible in scope • A couple of individuals stated that the boundary should be extended to the south west to include Forest Road and the Kingfisher Estate. • A number of respondents said that the current PSPO should be extended to include the Southfields Park area 						
Which of the following best describes how you think of yourself?	Female – 56%	Male – 44%				
What is your age?	18 to 24 – 4%	25 to 34 – 9%	35 to 44 – 22%	45 to 54 – 28%	55 to 64 – 20%	65+ - 17%
What is your ethnic group?	White – 95%	Mixed or multiple ethnic groups – 2%	Asian or Asian British 2%	Other ethnic group – 2%		

Appendix 4 : Equality Impact Assessment
Charnwood Borough Council

Equality Impact Assessment
‘Knowing the needs of your customers and employees’

■ **Background**

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

■ **Legislation- Equality Duty**

As a local authority that provides services to the public, Charnwood Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- ✓ Eliminate discrimination, harassment and victimisation
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex (Gender)
9. Sexual orientation

What is prohibited?

1. Direct Discrimination
2. Indirect Discrimination
3. Harassment
4. Victimisation
5. Discrimination by association
6. Discrimination by perception
7. Pregnancy and maternity discrimination
8. Discrimination arising from disability
9. Failing to make reasonable adjustments

■ **Step 1 – Introductory information**

Title of the policy	Public Space Protection Order (PSPO) Loughborough Town Centre
Name of lead officer and others undertaking this assessment	Julie Robinson
Date EIA started	May 2020
Date EIA completed	May 2020

■ **Step 2 – Overview of policy/function being assessed:**

Outline: What is the purpose of this policy? (Specify aims and objectives)

This report seeks approval to go out to consultation on a proposal to extend the current Public Spaces Protection Order (PSPO) for Loughborough Town Centre.

Public Spaces Protection Orders allow local authorities to introduce measures to defined areas to combat anti-social behaviour, as per the Anti-social, Crime and Policing Act 2014.

The current PSPO came into force on the 20th October 2020 for a period of 3 years. Therefore, it will expire at the end of 20th October 2020 and it is a requirement on the Council to review the Order and determine whether it should be extended.

The main aim of the current PSPO is to reduce anti-social street drinking which local communities have raised as having a detrimental effect in their communities. The current PSPO does not constitute a ban on drinking alcohol in public, but does allow a level of control where consuming alcohol is problematic. Authorised officers can request people to stop drinking and/or to hand over containers containing alcohol and to tackle persistent and widespread anti-social behaviour.

What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?

It should be noted that restrictions applied by a PSPO are applicable to everyone within the designated area.

The overall aim of the PSPO is to reduce anti-social behaviour and crime in the Borough.

Which groups have been consulted as part of the creation or review of the policy?

The Partnership has previously completed a community consultation process in respect of both the Civil Injunction and Public Space Protection Order (PSPO) that are in place to tackle ASB within the designated zone. The headlines from that consultation process which involved both face to face surveys as well as the opportunity to complete online via the Borough Council's website:

- 88 members of the public completed the survey
- 70% were residents within Charnwood
- 7% were individuals who worked in Loughborough
- 5% were local businesses
- 61% felt 'safe' or 'very safe' in Loughborough during the day
- 26% felt 'safe' or 'very safe' in Loughborough during the night
- 33% felt that drinking on the street was a problem

- 97% stated they supported the continued use of the Civil Injunction/PSPO

Further consultation is planned before the PSPO is extended

Step 3 – What we already know and where there are gaps

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.

Data/information such as:

- Consultation
- Previous Equality Impact Assessments
- Demographic information
- Anecdotal and other evidence

In accordance with statutory guidelines and detailed in Section 72, Anti-Social Behaviour, Crime and Policing Act 2014 the Council must undertake public consultation. It is therefore intended that :

- Formal Public Notices will be placed in local papers
- Letters will be sent to Partners / statutory consultees
- Letters to be sent to interested parties identified i.e. residents' groups
- Consultation survey will be undertaken through the Council's internet site and undertaken in Loughborough Town Centre
- Awareness raised through the Council's social media
- Copies of the Orders will be made available in reception

What does this information / data tell you about diverse groups? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)

The overall aim of the PSPO is to reduce anti-social behaviour and crime in the Borough. The consultation process previously undertaken tells us that there is significant support for the PSPO to be in place.

Step 4 – Do we need to seek the views of others? If so, who?

In light of the answers you have given in Step 2, do you need to consult with specific groups to identify needs / issues? If not please explain why.

Legislation requires the Council to consult on the proposed restrictions and outline the behaviours that the PSPO aims to tackle. Consultation must be reasonable and should involve local people and organisations that may be affected. Consultation must be open and transparent and include all parties that the Council thinks are appropriate. Responses and feedback from the consultation will be fully considered when formulating the final proposals and report for Cabinet.

Step 5 – Assessing the impact

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any 'protected characteristics' and provide an explanation for your decision (please refer to the general duties on the front page).

	Comments
Age	Neutral - The process of applying a PSPO is solely focused on the restricted activity and will be the same for all regardless of age.
Disability (Physical, visual, hearing, learning disabilities, mental health)	Neutral - The process of applying a PSPO is solely focused on the restricted activity and will be the same for all regardless of disability
Gender Reassignment (Transgender)	Neutral - The process of applying a PSPO is solely focused on the restricted activity and will be the same for all
Race	Neutral - The PSPO conditions will apply to anyone regardless of background if they are found to be in breach of the conditions within the area defined
Religion or Belief (Includes no belief)	Neutral - None of the conditions within the PSPO should have an effect on a person's ability to worship/follow religious beliefs
Sex (Gender)	Positive - The conditions of the PSPO apply equally to both men and women
Sexual Orientation	Neutral - None of the conditions within the PSPO should have an effect on a person's sexual preferences
Other protected groups (Pregnancy & maternity, marriage & civil partnership)	Neutral - None of the conditions within the PSPO should have an effect on a person's marriage or civil partnership
Other socially excluded groups (carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee communities etc.)	Neutral - Committing offences prohibited by the PSPO could result in a fine which some individuals may struggle to pay. However, the primary purpose of the proposed PSPO is to act as a suitable deterrent to such behaviours and therefore avert the need for such fines

Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.

Please note:

- a) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- b) Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

No

Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).

Holding the consultation on whether to extend the current PSPO, will enable residents to express their views and ensure the Council's responsibilities in relation to equality and diversity are met.

Step 6- Monitoring, evaluation and review

Are there processes in place to review the findings of this Assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?

In line with *Section 60, Anti-Social Behaviour, Crime and Policing Act 2014*, a PSPO may not have effect for a period of more than 3 years, therefore a review of the PSPO and EIA will be conducted at the end of the proposed extension.

How will the recommendations of this assessment be built into wider planning and review processes? e.g. policy reviews, annual plans and use of performance management systems.

Consultation with interested groups, stronger understanding of how the Orders can be implemented and reviewed.

Step 7- Action Plan

Please include any identified concerns/actions/issues in this action plan:

The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan

Reference Number	Action	Responsible Officer	Target Date
001			

Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees	✓	This EIA will be published on the Council's website.
Service users	✓	
Partners and stakeholders	✓	
Others	✓	
To ensure ease of access, what other communication needs/concerns are there?	✓	

Please delete as appropriate
I agree with this assessment / action plan
If <i>disagree</i>, state action/s required, reasons and details of who is to carry them out with timescales: N/A
Signed (Service Head): Julie Robinson
Date: 23 April 2020

[Please send completed & signed assessment to Suzanne Kinder for publishing.](#)