

# Coventry City Council Equality and Consultation Analysis (ECA) Form

***In line with the principles of decision making outlined in the City Council Constitution, the Council will ensure that its decision making is open and transparent, and that due regard is given to the Council's obligations and desire to promote equality of opportunity and equal treatment.***

## Part 1

***This part must be completed and before formal consultation is undertaken and must be available during the consultation stage.***

**Author of this document: Craig Hickin**

**Name of Service Area/Proposal: Public Space Protection Order – City Centre**

**Head of Service: Craig Hickin**

**Date of completion: 29<sup>th</sup> September 2016**

### ***Background to the planned changes***

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1. What is the background to the planned changes? Why is this change being considered? *If further information is available on the different scenarios that have been considered as part of this work, provide a link to the public document which contains this information.*

The Anti-Social Behaviour, Crime and Policing Act 2014 gained Royal Assent in April 2014. The Public Spaces Protection Order (PSPO) provision has been in operation since 20th October 2014. PSPOs are intended to provide means of preventing individuals or groups committing anti-social behaviour in a public space where the behaviour is having, or likely to have, a detrimental effect on the quality of life of those in the locality; be persistent or continuing in nature; and be unreasonable.

The Council's aim is to improve the City Centre as place to live, shop and do business. It is recognised that in order to do this we need to make the City Centre as attractive a destination as possible. This can be helped by minimising any factors that may deter people from visiting the City Centre. A City Centre PSPO is a useful tool in achieving this aim.

The introduction of a specific PSPO for the City Centre would provide useful powers for Council Officers and the Police in addressing adverse behaviours in the City Centre. It is quick and easy to use, which is an important consideration when both organisations are facing reductions in resources. It also has the added benefit of enabling the offender to accept a fixed penalty notice rather than appear in court and receive a criminal record.

In line with other PSPOs in Coventry, any Fixed Penalty Notice for non-compliance with a PSPO will be set at £100 reduced to £60 if paid within 14 days. If the Fixed Penalty Notice is not paid, it is the Council's policy to prosecute the offender in the Magistrates' Court, where the maximum fine is currently £1000 (level 3 on the standard scale).

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The PSPO will address the following issues:

a. Begging

Any person is prohibited from begging. The act of begging is deemed as either approaching people for money, or being stationary and directly asking for money, or positioned on the floor to invite the offer of money or goods.

b. Peddling / Street Trading

Any person is prohibited from, at any time, peddling/trading goods within the restricted area without an appropriate street trading consent issued by the Council.

c. Distribution of publicity materials

Any person is prohibited from distributing any materials for commercial gain unless they have the express prior permission of the City Council. Registered charities and religious organisations are exempt.

d. Charity or Commercial Subscription Collectors

Any person is prohibited from, soliciting for the completion of subscription charity collections. Exemptions are granted on land within the area marked in blue detailed on the plan of Coventry City Centre. Permission to carry out cash collections in the City Centre should be obtained from the City Council in advance. The Council issues street collection licences on application for charity collections

e. Buskers and Street Performers

Any person is prohibited from performing contrary to the 'Coventry City Centre Code of Conduct for Performers' (see Appendix 2).

f. Skateboarding/Cycling

Any person is prohibited from skateboarding and cycling in the Cathedral Square (the area edged in green on the plan of Coventry City Centre). Skateboarding or cycling is only permitted in other paved areas before 9.30am-or after 3.30pm. Cyclists can use designated cycle lanes in this area at all times.

The power to make a PSPO rests with the Council, in consultation with the police, other relevant bodies and the general public.

2. Who do you need to consider as part of this ECA? *\*stakeholder analysis*

Coventry citizens (visitors and users of the city centre), residents in the city centre, businesses and organisations in the city centre and their representatives and the Police.

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## Pre-Consultation Engagement

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Police Crime and Community Safety Partnership Board, City Tasking (a sub group of the Police Crime and Community Safety Partnership Board who deal with operational issues in the city centre), Coventry University, Older Peoples Forum, Business Improvement District. Charities/individuals affected (e.g. begging on the street, street performing)

3. What engagement activities took place prior to formal consultation and what feedback was received in relation to equality issues?

A series of partnership meetings and face-to face interviews were held with the above mentioned organisations to include issues, into the order, that require action and also the proposed wording of the order ahead of formal public consultation.

## Analysis of Impact

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In this section please ensure that you consider the three aims of the general duty as they affect **protected groups**. These groups are:

Age  
Disability  
Gender  
Gender reassignment  
Marriage/Civil Partnership  
Pregnancy/Maternity  
Race  
Religion/Belief  
Sexual Orientation

The **three aims of the general duty** require that a public authority, in the exercise of its functions, must have due regard to the need to:

1. Eliminate discrimination, harassment and victimisation
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

**Note – when identifying potential impacts below, please only include impacts that may exist over and above general impacts that may affect the wider community/population.** For example, a reduction in grant to Coventry Citizens Advice would affect all service users through a reduced level of first line advice being available to all – but it would affect the following groups more; age, disability, gender and race as they represent a larger proportion of the clients who use the advice service.

4. Outline below how this proposal/review could impact on protected groups positively or negatively, and what steps (if any) could be taken to reduce any negative impact that has been identified. *NB. Only include realistic mitigating actions that could be delivered.*

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**Age:** This proposed order will affect all Coventry people. Impact statements from the Older Persons Partnership suggest that older people perceive that they are more at risk from collisions.

If the proposals are agreed, there is a corresponding negative impact on young people by stopping these activities. However, this is mitigated by the proposal to allow skateboarding in these areas before 9.30am and after 3.30pm.

**Disability:** Again persons suffering from hearing or sight problems are more vulnerable to potential collisions with cyclists and skateboarders.

It is also possible that some of the beggars who frequent the city centre may have long term health conditions and will suffer from the potential loss of income. In mitigation the Council would work with relevant charities and the Recovery Partnership to address the health implication for this group who could be affected by the PSPO's implementation.

**Gender:** Insufficient information available although anecdotally males are in the majority of persons begging and street performing and would be most adversely affected. If this order is implemented it would be positive for women (personal safety/perceived personal safety).

**Gender Reassignment:** Insufficient information available

**Marriage/Civil Partnership:** Insufficient information available

**Pregnancy/maternity:** Insufficient information available

**Race:** Insufficient information available although anecdotally Asylum Seekers/Refugees/New Communities/Gypsies would be affected adversely

**Religion/belief:** Insufficient information available although anecdotally the Hari Krishna faith collects on the street

**Sexual orientation:** Insufficient information available

5. Are there any other vulnerable groups that could be affected? i.e. deprivation, looked after children, carers.

Also include any information about the health/Marmot implications of this proposal. Contact Georgia Faherty ([georgia.faherty@coventry.gov.uk](mailto:georgia.faherty@coventry.gov.uk) or tel. 7683 1950) or Hannah Watts ([hannah.watts@coventry.gov.uk](mailto:hannah.watts@coventry.gov.uk) or tel. 7683 3973) in Public Health for more information.

**Deprivation:** Beggars will be affected by this proposed order in that their ability to collect money in the city centre will be reduced. Generally the majority of beggars in the city centre are known to enforcement and welfare agencies.

Potential mitigations:

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The aim of the order is not to punish begging. We will be working closely with the Salvation Army and other partners to address hardship and health issues, which may result from the introduction of this order.

This proposal is likely to have both positive and negative impacts on health inequalities in Coventry. Beggars are a vulnerable group of society, often suffering from complex issues including mental health, substance misuse and homelessness and there are therefore negative impacts that this proposal could cause:

- Loss of income, potentially leading to alternative crime such as shoplifting, which in turn may have further negative impacts on other residents in Coventry. The individual involved may also be more likely to end up in the criminal justice system, which may make their situation worse
- Displacement to another area of Coventry, which will lead to further stigmatisation and exclusion which may make their situation worse

These adverse impacts are being mitigated by using interactions with vulnerable people to encourage their use of services (such as substance misuse or homelessness services) to address their needs. In addition, when an individual comes into contact with the criminal justice system they can be ordered to attend substance misuse services.

Positive impacts of the proposal include improving access to the city centre for vulnerable people, including people with disabilities and health conditions who may be fearful or intimidated by aggressive begging, as well as attracting businesses to the city which will bring jobs and opportunities to the people of Coventry

6. What are the gaps in evidence? Can this be addressed during the consultation stage? If so, how?

There is no specific data for any protected group (see above). The public consultation will determine if this proposed order has the public's support.

7. What are the likely impacts of this project/review on staff from protected groups?

Employees who enforce this order are existing enforcement officers. There are no additional adverse impacts on our officers.

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## Part 2

*This section should be completed AFTER the consultation stage has been concluded.*

**Author of this document:**

**Date of completion:**

### *Post-Consultation*

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8. Referring to the information detailed in question 4 of Part 1 of the ECA Form, state if the consultation has confirmed the potential impacts identified that were identified. Also detail below any additional information about potential impacts that has been highlighted during the consultation.

### *Outcome of equality impact*

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9. Indicate which of the following best describes the equality impact of this project/review:

- There will be **no** equality impact if the proposed option is implemented
- There will be **positive** equality impact if the proposed option is implemented
- There will be **negative** equality impact if the proposed option is implemented but this can be objectively justified
- There will be both **positive and negative** impacts if the proposed option is implemented

### *Summary of ECA*

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Write a paragraph below which summarises the key aspects of this ECA.

*NB. - This paragraph will be included in the Decision-making Report as well as the end of year ECA report*

Where specific objectives have been set for any protected groups around equality impact, also include this information below.

### *Next steps*

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Please send this completed ECA to the Insight Team as follows:

Wendy Ohandjanian ([wendy.ohandjanian@coventry.gov.uk](mailto:wendy.ohandjanian@coventry.gov.uk) tel. 7683 2939)

Jaspal Mann ([jaspal.mann@coventry.gov.uk](mailto:jaspal.mann@coventry.gov.uk) tel. 7683 3112)

### Version Control

Version	Date	Summary of changes (Author)
1.0.0	26.05.16	Initial release (Jaspal Mann)