

## Equal Impact Assessment (EIA)

The Policy and Guidance; Public Sector Equality Duty and Equality Impact Assessment (EIA) document should be read prior to completing this form.

<b>I confirm that I have read the Policy and Guidance; Public Sector Equality Duty and Equality Impact Assessment (EIA) document</b>	<i>Jenny Brouard</i>
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Upon completion of this EIA it should be included as an appendix item for any associated reports to Management Team or formal Council meetings. The EIA should also be approved by the relevant Assistant Director.

<b>Title of activity</b>	Expansion to Clacton Town Centre Public Space Protection Order to include three new conditions.
<b>Type of activity</b>	An extension to the existing Public Spaces Protection Order, for a period of three years pursuant to powers contained in Section 59 to 65 of the Anti- Social Behaviour Crime and Policing Act 2014. Consideration to review the existing 1980 Pleasure Ground Byelaw.
<b>Purpose of activity</b>	Extending the current order with amendments for a further period of 3 years whilst considering the review of the existing byelaw.
<b>Completed by:</b>	Jenny Brouard, Enforcement and Community Safety Co-ordinator, Partnership's Directorate
<b>Approved by:</b>	Anastasia Simpson, Assistant Director Partnerships
<b>Date of assessment:</b>	29.11.2023
<b>Outcome</b>	Proceed
<b>Review date:</b>	29.11.2026

<b>Does the EIA contain any 'Confidential' or 'Exempt information' that would prevent its publication on the Council's website? (in accordance with the Council's Constitution, Part 5, Access to Information Procedure Rules)</b>	<b>Yes / No</b>
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# The EIA – How will the activity (strategy, policy, plan, procedure and/or service) impact on people?

**Background/context:** The Anti-Social Behaviour, Crime and Policing Act 2014 enacted powers to create Public Spaces Protection Orders (PSPO). The purpose of a PSPO is to stop individuals or groups committing antisocial behaviour in a public space.

The scope is to look at the extension of our current Public Spaces Protection Notice (PSPO) which is in Clacton Town Centre and to explore the extension of including three new conditions. The aim and objectives are to seek approval from the Portfolio Holder to consider the proposed extension to add the following roads to our existing PSPO.

- Lancaster Gardens West
- Lancaster Gardens East
- Albany Gardens West
- Albany Gardens East
- Connaught Gardens West
- Connaught Gardens East
- Beatrice Road

The key stakeholders in this activity are the residents of all the above gardens, the businesses in Clacton Town Centre that are part of the current PSPO as well as ensuring that all residents of Tendring are aware of this new proposal by ensuring this is visible on our website.

The time scales are set out below.

We are now preparing to undertake an extensive consultation process (11.12.2023 – 22.01.2024) with a view to presenting to Cabinet on 15<sup>th</sup> March 2024. Call in will expire on 22<sup>nd</sup> March 2024 and the decision can be implemented on 25<sup>th</sup> March if call in passed.

**Overall who will be affected by the Activity:**

The purpose of a PSPO is to stop individuals or groups committing anti-social behaviour in a public space.

Both Tendring District Council and Essex Police receive concerns from members of the public and from Ward Councillors to tackle street drinking, begging and other types of Anti- Social Behaviour in Clacton Town Centre. The PSPO provides additional powers for Essex Police and Tendring District Council Officers. Officers can use the powers to undertake Enforcement activity and prevent crime. In Lancaster Gardens we received one complaint from a resident who was concerned that two tents had been pitched in the Gardens and then one of the tents then moved to Connaught Gardens. There was a concern as rubbish was being left by the occupants of the tent and there were

questions raised as to where the occupants were going to the toilet. There was also a second complaint from a resident that lived near the vicinity who also raised the same concerns. This also raises concerns around health and safety for all local residents and visitors that walk through the gardens.

Consideration should also be given to review the current Pleasure Ground Byelaw which can be considered instead of a PSPO if there is evidence or information under the PSPO procedures where a PSPO would not be applicable. An example of this is a person who is homeless would not come under a PSPO, but consideration could be given for a Byelaw breach. To amend the byelaw the local authority will need to consider the need for the amendment, undertake a regulatory assessment and produce a report seeking the approval of the Secretary of State to make the amendment. Once approval is given the local authority must undertake formal consultation and consider any representation before whether to amend the byelaw with minor modification. A copy of the Byelaw briefing is attached as well as the Pleasure Grounds Act.

The order ensures that Clacton can be a safe and pleasant environment for residents and visitors. It provides a tool to swiftly resolve issues including the removal of alcohol and dispersal.

The types of ASB associated with the order can have a detrimental effect on local businesses, residents, and visitors to the town.

The Police also have Dispersals Powers that work hand in hand with the PSPO, the PSPO will therefore support Essex Police and the Council's two ASB Officers.

Council Officers have used the powers along Clacton seafront, in the shelters and this supports the Council to maintain the town as a tourist attraction, including keeping the gardens clear of larger groups and anti-social behaviour., this will have a positive impact on the community in general, also will mitigate the perception and fear of crime that is associated with Clacton Town Centre

Impact on the 9 Protected Characteristics			
Please consider and note what impact your activity will have on individuals and groups, (including staff), in respect of each of the protected characteristics based on the data and information you have.			
You should note whether this is a positive, neutral, or negative impact by ticking the relevant box:			
	Positive	Neutral	Negative
Age		√	
Disability		√	
Gender Reassignment		√	

<b>Pregnancy &amp; Maternity</b>		✓	
<b>Marriage &amp; Civil Partnership</b>		✓	
<b>Race</b>		✓	
<b>Religion &amp; Belief</b>		✓	
<b>Sex</b>		✓	
<b>Sexual Orientation</b>		✓	

**Evidence:**

The order has been in place since 2007 (as a Designated Public Place Order) and converted to a PSPO in 2017, evidence shows that the PSPO complies with the legal tests that focus on the impact that anti-social behaviour is having on victims and communities.

A Public Spaces Protection Order can be made by the Council if they are satisfied on reasonable grounds that the activity or behaviour concerned, carried out, or likely to be carried out, in a public space:

- has had, or is likely to 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 imposed.

The council are satisfied – subject to consultation that the above tests have been met.



**Pleasure  
Grounds-1980 & 198**



**Byelaw Briefing  
Note\_December 2020**

**Impact upon any factors which determine people's health and wellbeing?**

*(This relates to all people, not just in terms of the protected characteristics)*

Whilst the PSPO alone did not lead to a 31% drop in anti-social behaviour in the 12 months to 30 June with 693 fewer offences recorded than during the previous 12 months, it was however a contributing factor.

All Community Safety / ASB activity is carried out in line with Community Safety Partnership Strategy. The Council and partners receive a regular update regarding Community Safety at the Community Safety Partnership/Health and Wellbeing Board.

All Community Safety priorities are in line with the work of the Community Safety and Health and Well Being Board objectives, as well as positively contribute to the work to improve the wider determinants of health within our community.

A wide range of information from the public and organisations that operate in Essex, covering a number of themes including Children and Young People, Health and Wellbeing, Crime and Community Safety [www.essexinsight.org.uk](http://www.essexinsight.org.uk).

Crime map including detailed statistics <https://www.police.uk/pu/your-area/>

## Action Plan

Protected characteristic / health & wellbeing impact	Identified Negative or Positive impact	Recommended actions to mitigate Negative impact* or further promote Positive impact	Outcomes and monitoring**	Timescale	Lead officer
To ensure that Officers have access to an interpreter service to support any member of the public			Further consultation if it is decided to extend the area and amend the conditions in the PSPO.	The timescale is mentioned at the start of the paper	Jenny Brouard

### Add further rows as necessary

\* You should include details of any future consultations and any actions to be undertaken to mitigate negative impacts

\*\* Monitoring: You should state how the impact (positive or negative) will be monitored; what outcome measures will be used; the known (or likely) data source for outcome measurements; how regularly it will be monitored; and who will be monitoring it (if this is different from the lead officer)

## Appendix 1: Suggested Sources

- Service specific data, benchmarking with other organisations, national best practice
- Population, demographic and socio-economic data. Suggested sources include:
  - o Service user monitoring data that your service collects
  - o A wide range of information from the public and organisations that operate in Essex, covering a number of themes including Children and Young People, Health and Wellbeing, Crime and Community Safety ([www.essexinsight.org.uk](http://www.essexinsight.org.uk)).
  - o Crime map including detailed statistics <https://www.police.uk/your-area/>
  - o Labour market at ward level <https://www.nomisweb.co.uk/reports/lmp/ward2011/contents.aspx>
  - o Labour market at district level <https://www.nomisweb.co.uk/reports/lmp/la/1946157220/report.aspx>
  - o Various statistics at district level including ethnicity, religious beliefs, health, occupation, age ([https://www.nomisweb.co.uk/census/2011/key\\_statistics](https://www.nomisweb.co.uk/census/2011/key_statistics))
  - o Various datasets information on multiple subjects, from population statistics to strategies (<https://data.essex.gov.uk/>)
  - o Staffing Statistics report February 2021 ([A3 Report Staffing Statistics February 2021 \(tendringdc.gov.uk\)](https://www.tendringdc.gov.uk/A3-Report-Staffing-Statistics-February-2021))

The above suggestions are not intended to be an exhaustive list. Note any relevant data considered, including both quantitative and qualitative data. If you consulted, identify who took part and any key findings. Make reference to or attach other document(s) if needed. If you do not have any relevant data, please provide the reason why.

### Information on the population affected

- Routinely collected local statistics (e.g. quality of life, health status, unemployment, crime, air quality, educational attainment, transport etc.)
- Local research/ Surveys of local conditions
- Community profiles

### Wider Evidence

- Published Research, including evidence about similar proposals implemented elsewhere (e.g. Case Studies).
- Predictions from local or national models
- Locally commissioned research by statutory/voluntary/private organisations

### Expert Opinion

- Views of residents and professionals with local knowledge and insight

## Appendix 2: Health & Wellbeing Impact Tool

The following are a range of considerations that might help you to complete the assessment.

<b>Lifestyle</b>	<b>YES</b>	<b>Personal circumstances</b>	<b>YES</b>	<b>Access to services/facilities/amenities</b>	<b>YES</b>	<b>NO</b>
Diet Exercise and physical activity Smoking Exposure to passive smoking Alcohol intake Dependency on prescription drugs Illicit drug and substance use Risky Sexual behaviour Other health-related behaviours, such as tooth-brushing, bathing and wound care		Structure and cohesion of family unit Parenting Childhood development Life skills Personal safety Employment status Working conditions Level of income, including benefits Level of disposable income Housing tenure Housing conditions Educational attainment Skills levels including literacy and numeracy		to Employment opportunities to Workplaces to Housing to Shops (to supply basic needs) to Community facilities to Public transport to Education to Training and skills development to Healthcare to Social services to Childcare to Respite care to Leisure and recreation services and facilities		
<b>Social Factors</b>	<b>YES</b>	<b>Economic Factors</b>	<b>YES</b>	<b>Environmental Factors</b>	<b>YES</b>	
Social contact Social support Neighbourliness Participation in the community Membership of community groups Reputation of community/area Participation in public affairs Level of crime and disorder Fear of crime and disorder Level of antisocial behaviour Fear of antisocial behaviour Discrimination Fear of discrimination Public safety measures Road safety measures		Creation of wealth Distribution of wealth Retention of wealth in local area/economy Distribution of income Business activity Job creation Availability of employment opportunities Quality of employment opportunities Availability of education opportunities Quality of education opportunities Availability of training and skills development opportunities Quality of training and skills development opportunities Technological development Amount of traffic congestion		Air quality Water quality Soil quality/Level of contamination/Odour Noise levels Vibration Hazards Land use Natural habitats Biodiversity Landscape, including green and open spaces Townscape, including civic areas and public realm Use/consumption of natural resources Energy use: CO2/other greenhouse gas emissions Solid waste management Public transport infrastructure		