

Equality Impact Assessment Corporate Assessment Template



Appendix C

Public Space Protection Orders – Dog Controls
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New Policy Statement and Function
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Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function?	
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Name: Matthew Wakelam	Job Title: Assistant Director – Street Scene
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Service Team: Street Scene	Service Area: Planning, Transport & Environment
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Assessment Date: 19 th February 2019

1. What are the objectives of the Policy/Strategy/Project/ Procedure/ Service/Function?

To provide a policy statement on the use of introducing a Public Spaces Protection Order (PSPO) to control persistent anti-social behaviour (ASB) issues within Cardiff, under the Anti-social Behaviour, Crime and Policing Act 2014 (the Act).

In creating a PSPO the Local Authority will need to ensure that there is sufficient evidence to support the test as stated in the legislation and guidance. The test is designed to be broad and focus on the impact anti-social behaviour is having on victims and communities. A PSPO can be made by the council if they are satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public space:

- have had, or are 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.

To implement a Public Space Protection Order for dog controls to restrict persistent anti-social behaviour in public spaces. The aim of the Order is to prevent or reduce anti-social behaviour, as a result of irresponsible dog owners.

2. Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]

The current legislation for dog fouling, The Dog (Fouling of Land) Act 1996, are currently not supported via Magistrates Courts and will eventually be completely repealed due to there being more up to date legislation that the Council should be utilising, specifically the Anti-Social Behaviour, Crime and Policing Act 2014.

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Issues and concerns have been reported in relation to dogs, such as; dog faeces not removed and people unable to control their dogs off a lead in public spaces. The Orders will aid the Council to adopt a range of fair and practical controls on specific public spaces.

The Consultation response report provides a good sample of the views of citizens, both dog owners and non-dog owners on the concerns relating to dog controls. There were 6,002 responses received over the consultation period. This is the largest response to a single survey by Cardiff Council in 2018.

3 Assess Impact on the Protected Characteristics

3.1 Age

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative/]** on younger/older people?

	Yes	No	N/A
Up to 18 years	✓		
18 - 65 years	✓		
Over 65 years	✓		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The PSPO dog controls is expected have a positive differential impact on all Protected Characteristics of Age. All age groups will benefit from having improved controls of anti-social behaviour relating to dog control. This will benefit all age groups to enjoy public spaces with reduced fear of anti-social behaviour relating to dog controls and support proactive enforcement relating to dog fouling in public spaces.

Over 65 years in general may have physical limitations and concomitant relationships with age and impairment and therefore Enforcement Officers will need to take a view on individual cases. Training will be provided to all Officers with delegated authority to issue enforcement fines.

Individuals under 18 years old will not be fined under the Public Space Protection Order as with all other Environmental Fines in Cardiff. The individual will be given a warning and if required a formal letter will be sent to their parents and /or the child referred to the Anti-Social Behaviour Team.

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What action(s) can you take to address the differential impact?

Further (generic) consideration needs to be given to:-

- Informing the community of the PSPO dog controls and how they will be managed.
- Promoting and communicating good dog ownership behaviours.
- Clear signing of controls.
- Media / social media information at regular interval reinforcing the controls.

3.2 Disability

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on disabled people?

	Yes	No	N/A
Hearing Impairment	✓		
Physical Impairment	✓		
Visual Impairment	✓		
Learning Disability	✓		
Long-Standing Illness or Health Condition	✓		
Mental Health	✓		
Substance Misuse	✓		
Other	✓		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The PSPO dog controls is expected have a positive differential impact on all Protected Characteristics of Disability. This group will benefit from having improved controls of anti-social behaviour relating to dog control. This will benefit all age groups to enjoy public spaces with reduced fear of anti-social behaviour relating to dog controls and support proactive enforcement relating to dog fouling in public spaces.

No enforcement on any Public Space Protection Order dog control will take place if an individual has a disability that affects the person's mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a registered charity and upon which the person relies for assistance.

What action(s) can you take to address the differential impact?

Further (generic) consideration needs to be given to:-

- Informing the community of the PSPO dog controls and how they will be managed.
- Promoting and communicating good dog ownership behaviours.
- Clear signing of controls.
- Media / social media information at regular interval reinforcing the controls.
- Direct engagement with specialist groups and the provision of good information / media.

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3.3 Gender Reassignment

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on transgender people?

	Yes	No	N/A
Transgender People (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex)	✓		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The PSPO dog controls is expected have a positive differential impact on all Protected Characteristics of Gender Reassignment. This group will benefit from having improved controls of anti-social behaviour relating to dog control. This will benefit all age groups to enjoy public spaces with reduced fear of anti-social behaviour relating to dog controls and support proactive enforcement relating to dog fouling in public spaces.

What action(s) can you take to address the differential impact?

Further (generic) consideration needs to be given to:-

- Informing the community of the PSPO dog controls and how they will be managed.
- Promoting and communicating good dog ownership behaviours.
- Clear signing of controls.
- Media / social media information at regular interval reinforcing the controls.

3.4. Marriage and Civil Partnership

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage	✓		
Civil Partnership	✓		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The PSPO dog controls is expected have a positive differential impact on all Protected Characteristics of Marriage and Civil Partnership. This group will benefit from having improved controls of anti-social behaviour relating to dog control. This will benefit all age groups to enjoy public spaces with reduced fear of anti-social behaviour relating to dog controls and support proactive enforcement relating to dog fouling in public spaces.

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What action(s) can you take to address the differential impact?

Further (generic) consideration needs to be given to:-

- Informing the community of the PSPO dog controls and how they will be managed.
- Promoting and communicating good dog ownership behaviours.
- Clear signing of controls.
- Media / social media information at regular interval reinforcing the controls.

3.5 Pregnancy and Maternity

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on pregnancy and maternity?

	Yes	No	N/A
Pregnancy	✓		
Maternity	✓		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The PSPO dog controls is expected have a positive differential impact on all Protected Characteristics of Pregnancy and Maternity. This group will benefit from having improved controls of anti-social behaviour relating to dog control. This will benefit all age groups to enjoy public spaces with reduced fear of anti-social behaviour relating to dog controls and support proactive enforcement relating to dog fouling in public spaces.

Individuals may be characterised as having mobility issues relating to their pregnancy and therefore Enforcement Officers will need to take a view on individual cases. Training will be provided to all Officers with delegated authority to issue enforcement fines.

What action(s) can you take to address the differential impact?

Further (generic) consideration needs to be given to:-

- Informing the community of the PSPO dog controls and how they will be managed.
- Promoting and communicating good dog ownership behaviours.
- Clear signing of controls.
- Media / social media information at regular interval reinforcing the controls.

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3.6 Race

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
White	✓		
Mixed / Multiple Ethnic Groups	✓		
Asian / Asian British	✓		
Black / African / Caribbean / Black British	✓		
Other Ethnic Groups	✓		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The PSPO dog controls is expected have a positive differential impact on all Protected Characteristics of Race. This group will benefit from having improved controls of anti-social behaviour relating to dog control. This will benefit all age groups to enjoy public spaces with reduced fear of anti-social behaviour relating to dog controls and support proactive enforcement relating to dog fouling in public spaces.

What action(s) can you take to address the differential impact?

Further (generic) consideration needs to be given to:-

- Informing the community of the PSPO dog controls and how they will be managed.
- Promoting and communicating good dog ownership behaviours.
- Clear signing of controls.
- Media / social media information at regular interval reinforcing the controls.
- Communication and media in languages other than English and Welsh.

3.7 Religion, Belief or Non-Belief

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	Yes	No	N/A
Buddhist	✓		
Christian	✓		
Hindu	✓		
Humanist	✓		
Jewish	✓		

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Muslim	✓		
Sikh	✓		
Other	✓		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The PSPO dog controls is expected have a positive differential impact on all Protected Characteristics of Religion. This group will benefit from having improved controls of anti-social behaviour relating to dog control. This will benefit all age groups to enjoy public spaces with reduced fear of anti-social behaviour relating to dog controls and support proactive enforcement relating to dog fouling in public spaces.

What action(s) can you take to address the differential impact?

Further (generic) consideration needs to be given to:-

- Informing the community of the PSPO dog controls and how they will be managed.
- Promoting and communicating good dog ownership behaviours.
- Clear signing of controls.
- Media / social media information at regular interval reinforcing the controls.
- Communication and media in languages other than English and Welsh.

3.8 Sex

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

	Yes	No	N/A
Men	✓		
Women	✓		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The PSPO dog controls is expected have a positive differential impact on all Protected Characteristics of Sex. This group will benefit from having improved controls of anti-social behaviour relating to dog control. This will benefit all age groups to enjoy public spaces with reduced fear of anti-social behaviour relating to dog controls and support proactive enforcement relating to dog fouling in public spaces.

What action(s) can you take to address the differential impact?

Further (generic) consideration needs to be given to:-

- Informing the community of the PSPO dog controls and how they will be managed.
- Promoting and communicating good dog ownership behaviours.
- Clear signing of controls.
- Media / social media information at regular interval reinforcing the controls.

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3.9 Sexual Orientation

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
Bisexual	✓		
Gay Men	✓		
Gay Women/Lesbians	✓		
Heterosexual/Straight	✓		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The PSPO dog controls is expected have a positive differential impact on all Protected Characteristics of Sexual Orientation. This group will benefit from having improved controls of anti-social behaviour relating to dog control. This will benefit all age groups to enjoy public spaces with reduced fear of anti-social behaviour relating to dog controls and support proactive enforcement relating to dog fouling in public spaces.

What action(s) can you take to address the differential impact?

Further (generic) consideration needs to be given to:-

- Informing the community of the PSPO dog controls and how they will be managed.
- Promoting and communicating good dog ownership behaviours.
- Clear signing of controls.
- Media / social media information at regular interval reinforcing the controls.

3.10 Welsh Language

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on Welsh Language?

	Yes	No	N/A
Welsh Language	✓		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The PSPO dog controls is expected have a positive differential impact on all Protected Characteristics of Welsh Language. This group will benefit from having improved controls of anti-social behaviour relating to dog control. This will benefit all age groups to enjoy public spaces with reduced fear of anti-social behaviour relating to dog controls and support proactive enforcement relating to dog fouling in public spaces.

All signage will be bilingual and meet the standards of the Welsh Language Act; however, Enforcement Officers may not be able to communicate in Welsh.

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What action(s) can you take to address the differential impact?

Further (generic) consideration needs to be given to:-

- Informing the community of the PSPO dog controls and how they will be managed.
- Promoting and communicating good dog ownership behaviours.
- Clear signing of controls.
- Media / social media information at regular interval reinforcing the controls.

Support Welsh Language training and look at improving the number of bilingual Environmental Enforcement Officers.

4. Consultation and Engagement

What arrangements have been made to consult/engage with the various Equalities Groups?

Consultation with relevant groups has taken place specifically RNIB/ Guide dogs as being most integral to the issue of dog use and / as a disability support / auxiliary aid.

5. Summary of Actions [Listed in the Sections above]

Groups	Actions
Age	
Disability	• Equality training for Enforcement Officers
Gender Reassignment	
Marriage & Civil Partnership	
Pregnancy & Maternity	• Equality training for Enforcement Officers
Race	• Media language
Religion/Belief	
Sex	
Sexual Orientation	
Welsh Language	<ul style="list-style-type: none">• Welsh signage and media• Welsh language training for Enforcement Officers.
Generic Over-Arching [applicable to all the above groups]	Further (generic) consideration needs to be given to:- <ul style="list-style-type: none">• Informing the community of the PSPO dog controls and how they will be managed.• Promoting and communicating good dog ownership behaviours.• Clear signing of controls.

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	<ul style="list-style-type: none">• Media / social media information at regular interval reinforcing the controls.
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6. Further Action

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

7. Authorisation

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By :	Date:
Designation:	
Approved By:	
Designation:	
Service Area:	

- 7.1 On completion of this Assessment, please ensure that the Form is posted on your Directorate's Page on CIS - *Council Wide/Management Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council.

For further information or assistance, please contact the Citizen Focus Team on 029 2087 2536 / 3262 or email equalityteam@cardiff.gov.uk