

Equality Impact Assessment Toolkit (January 2021)

Section 1: Your details

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Head of Section: Mark Camborne

Chief Officer: Mark Camborne

Directorate: Neighbourhoods

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Section 2: What Council proposal is being assessed?

Proposed Public Spaces Protection Order – Woodchurch

Proposed prohibitions:-

1. No person shall drink or attempt to drink alcohol in any public space within the Restricted area following receipt of a requirement not to do so given to them by a Police Officer or an authorised officer.

Where a Police Officer or an authorised officer reasonably believes that a person has been consuming alcohol, or that a person intends to consume alcohol in circumstances in which doing so may lead to a breach of this prohibition, the Police Officer or authorised officer may require that person:

- (i) Not to consume, in breach of the prohibition, alcohol or anything which the Police Officer or authorised person reasonably believes to be alcohol.
- (ii) To surrender anything in that person's possession which is, or which the Police Officer or authorised person reasonably believes to be, alcohol or a container for alcohol.

A Police Officer or authorised person may dispose of anything surrendered to them as a result of a requirement imposed by him or her in whatever way he or she thinks appropriate.

A Police Officer or an authorised person who imposes a requirement pursuant to this prohibition must tell the person that failing without reasonable excuse to comply with the requirement is an offence.

A requirement imposed by an authorised person is not valid if the authorised person is asked to show evidence of his or her authorisation but fails to do so.

2. No person shall drink or attempt to drink, inhale, inject, or otherwise use or be in possession of any intoxicating substances or “legal highs” or drug paraphernalia including nitrous oxide canisters in any public place within the Restricted Area. This includes substances with the capacity to stimulate or depress the central nervous system.

Where a Police Officer or an authorised officer reasonably believes that a person has been consuming any intoxicating substances including nitrous oxide, or that a person intends to consume any intoxicating substances in circumstances in which doing so would be a breach of this prohibition, the Police Officer or authorised person may require that person:

- (i) Not to consume, in breach of the prohibition, any intoxicating substance or “legal high” including nitrous oxide or anything which the Police Officer or authorised person reasonably believes to be an intoxicating substance or “legal high” including nitrous oxide.
- (iii) To surrender anything in that person’s possession which is, or which the Police Officer or authorised person reasonably believes to be an intoxicating substance or “legal high” including nitrous oxide and their containers/cannisters.

A Police Officer or authorised person may dispose of anything surrendered to them as a result of a requirement imposed by them in whatever way he or she thinks appropriate.

A Police Officer or an authorised person who imposes a requirement pursuant to this prohibition must tell the person that failing without reasonable excuse to comply with the requirement is an offence.

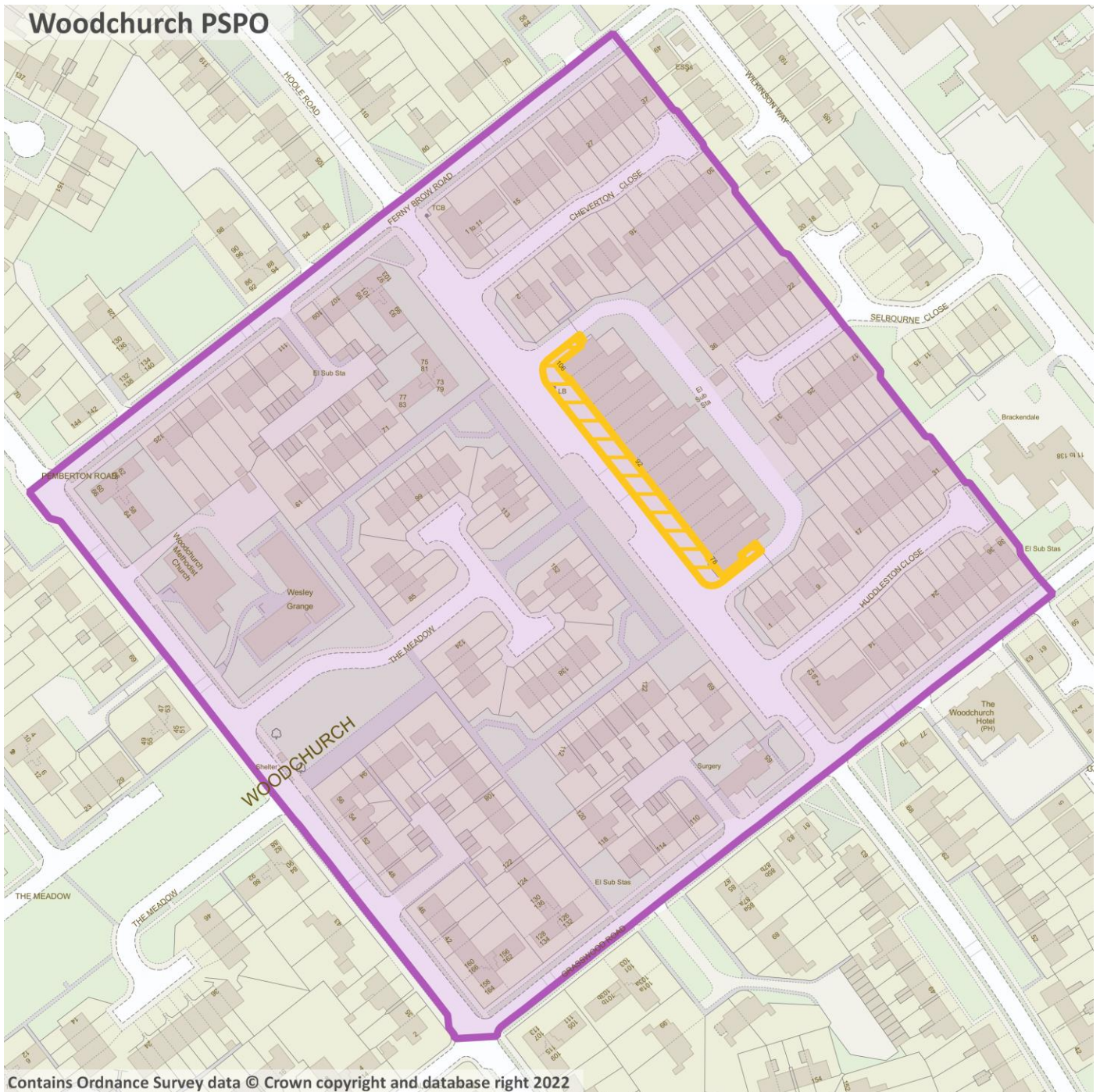
A requirement imposed by an authorised person is not valid if the authorised person is asked to show evidence of his or her authorisation but fails to do so.

3. Between the hours of 1500 and 2200 hours each day, any person within any open public space in the Restricted Area who is in a gathering of 2 or more persons must leave the Restricted Area when required to do so by a Police Officer or an authorised officer if such officer reasonably believes that any person who is part of the gathering is engaging in or is intending to engage in behaviour that is likely to cause alarm, harassment or distress to any other person within the Restricted Area.

A Police Officer or an authorised person who imposes a requirement pursuant to this prohibition must tell the person that failing without reasonable excuse to comply with the requirement is an offence.

A requirement imposed by an authorised person is not valid if the authorised person is asked to show evidence of his or her authorisation but fails to do so.

4. No person shall wear anything in any open public space within the Restricted area which covers any part of that person's face. This does not include face coverings worn for religious reasons or for health reasons relating to an existing medical condition or vulnerability.
5. No person shall ride a bicycle, scooter or other wheeled vehicle on the paved area adjacent to the shops on Hoole Road, shaded yellow on the map, within the Restricted area at any time. This prohibition does not apply to any person who requires the use of such a vehicle to address any mobility issues.



Map above shows the area affected which is bounded by Grasswood Road, Pemberton Road, Ferny Brow Road and corner of Selbourne Close, Woodchurch, Wirral.

Section 2a: Will this EIA be submitted to a Committee meeting?

Yes / No

If 'yes' please state which meeting and what date
No

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Hyperlink to where your EIA is/will be published on the Council's website

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

Section 3: Does the proposal have the potential to affect..... (please tick relevant boxes)

- Services**
- The workforce**

Communities

- Other** (please state eg: Partners, Private Sector, Voluntary & Community Sector)

If you have ticked one or more of above, please go to section 4.

- None** (please stop here and email this form to your Chief Officer who needs to email it to engage@wirral.gov.uk for publishing)

Section 4:

Could the proposal have a positive or negative impact on any protected groups (age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)?

You may also want to consider socio-economic status of individuals.

Please list in the table below and include actions required to mitigate any potential negative impact.

Which group(s) of people could be affected	Potential positive or negative impact	Action required to mitigate any potential negative impact	Lead person	Timescale	Resource implications
All	<p>Alcohol consumption – possible negative impact to an individual with a disability due to an addiction to alcohol.</p> <p>Possible positive impact on all groups minimising the risk of anti-social behaviour that is fuelled by the consumption of alcohol.</p>	Authorised Officers to receive appropriate training prior to authorisation.	Carolyn Hooper	To expiration of Order.	WASBT, WCP, Police
All	<p>Intoxicating & psychoactive substances - possible negative impact to an individual with a disability due to an addiction to alcohol, drug or other intoxicating substance.</p> <p>Possible positive impact to health, decreasing the amount of waste and the risk of young children picking up and potentially being</p>	Authorised Officers to receive appropriate training prior to authorisation.	Carolyn Hooper	To expiration of Order	WASBT, WCP, Police

	harmed by substance paraphernalia or eating products that are toxic.				
All	<p>Congregating - possible negative impact in certain circumstances, if a group of more than 2 people wished to carry out some form of activity between 3pm-10pm.</p> <p>Possible larger positive impact on persons within all the protected characteristic groups who have experienced large levels of anti-social behaviour, including intimidation and alcohol and/or drug use during the hours specified.</p>	<p>This prohibition has been limited to a period of time that the anti-social behaviour is at its height to avoid as much negative impact as possible.</p> <p>In addition, a group will be spoken to first and advice given to leave the area covered by the order if appropriate before any breach occurs.</p>	Carolyn Hooper	Expiration of Order.	WASBT, WCP, Police
All	<p>Face covering – possible negative impact in certain circumstances, if a person who has religious or medical reason for wearing the covering is approached by an Authorised Officer.</p>	<p>Appropriate training to be provided to authorising officers and the person to be spoken to first to ascertain the circumstances.</p>	Carolyn Hooper	Expiration of Order.	WASBT, WCP, Police
All	<p>Bikes/vehicle use – possible negative impact in certain circumstances, if a person who has mobility limitations is approached by an Authorised Officer.</p>	<p>Appropriate training to be provided to authorising officers and the person to be spoken to first to ascertain the circumstances.</p>	Carolyn Hooper	Expiration of Order.	WASBT, WCP, Police

Section 4a: Where and how will the above actions be monitored?

All authorising officers will receive training from Legal Services.

Everyone will be given every opportunity to comply with the order before enforcement and the advice and guidance will always be the first priority.

Authorising officers will take the 4 E's approach, engage, educate, encourage and lastly enforce.

Section 4b: If you think there is no negative impact, what is your reasoning behind this?

N/A

Section 5: What research / data / information have you used in support of this process?

Numerous attempts to identify individuals have been taken rather than taking these steps.
Number of multi-agency problem solving meetings conducted.
Historical information obtained.
Evidence gathering from partner agencies, local residents and local businesses.
Last resort is for the implementation of the proposed order.

Section 6: Are you intending to carry out any consultation with regard to this Council proposal?

Yes / No – (please delete as appropriate) YES

If 'yes' please continue to section 7.

If 'no' please state your reason(s) why:

(please stop here and email this form to your Chief Officer who needs to email it to engage@wirral.gov.uk for publishing)

Section 7: How will consultation take place and by when?

Consultation to take place via Council comms team through social media, Wirral View and localised letters as soon as is practicable.

Before you complete your consultation, please email your preliminary EIA to engage@wirral.gov.uk via your Chief Officer in order for the Council to ensure it is meeting it's legal publishing requirements. The EIA will need to be published with a note saying we are awaiting outcomes from a consultation exercise.

Once you have completed your consultation, please review your actions in section 4. Then email this form to your Chief Officer who needs to email it to engage@wirral.gov.uk for publishing.

Section 8: Have you remembered to:

- a) **Select appropriate directorate hyperlink to where your EIA is/will be published (section 2a)**
- b) **Include any potential positive impacts as well as negative impacts? (section 4)**
- c) **Send this EIA to engage@wirral.gov.uk via your Chief Officer?**
- d) **Review section 4 once consultation has taken place and sent your updated EIA to engage@wirral.gov.uk via your Chief Officer for re-publishing?**