

# Equality Impact Assessment

*Before completing this EIA please ensure you have read the EIA guidance notes and other resources, available on the [intranet](#)*



<b>Version</b>		<b>Date Completed</b>	<b>18.09.2024</b>
<b>Description of what is being impact assessed</b>			
<p>The Order has been proposed due to the volume of incidents that are occurring that are having a significant impact on people's quality of lives. Evidence has been collated of negative impacts on visitors, residents, businesses, and their employees; this Order will have a positive impact on residents, visitors and businesses.</p> <p>Surrendering of alcohol or psychoactive substances could positively benefit the taker from the self-harm that substance can cause to their health and the effect of that intoxicant in terms of leaving them in a vulnerable situation in a public place.</p> <p>A Public Space Protection Order (PSPO) allows a local authority to introduce a series of measures into a defined locality. The proposed PSPO will bring in measures to control and restrict certain activities, in particular the consumption of psychoactive substances, consumption of alcohol in public (other than in licensed premises), anti-social behaviour of groups or by an individual, aggressive begging, and urination (other than in public toilets).</p> <p>The purpose of completing this assessment is in relation to a review of the current PSPO.</p> <ol style="list-style-type: none"><li>1. That the remaining prohibitions of the Public Spaces Protection Order and the existing boundaries remain unchanged.</li><li>2. That the order is extended for a further period 3 years.</li></ol>			
<b>Evidence</b>			
<b>What data/information have you used to assess how this policy/service might impact on protected groups?</b>			
<p><i>Further information is available at <a href="#">Equality data</a> and will be added to</i></p> <p>A 8 week consultation has taken place on the proposals and review. The results of the consultation will be presented to Council for a decision on whether the current PSPO will continue, and if so, what that Order would restrict.</p> <p>In relation to fixed penalty notices, officers will be recommending that these are not routinely served dynamically, but instead and in most instances, will be served retrospectively.</p> <p>There are a number of documents that will be made available. This includes information that details the proposed zone, a document that contains frequently asked questions, a copy of the proposed order prohibitions/restrictions.</p> <p>There has been a range of evidence that has been collated that captures the impact these activities contained within the proposed PSPO is having on visitors, residents, businesses and other stakeholders.</p>			

**Who have you consulted with to assess possible impact on protected groups and what have they told you?** If you have not consulted other people, please explain why?

Devon & Cornwall Constabulary, residents, visitors, elected members, regulatory services, Third Sector Providers,

*The public consultation took place over an eight-week period from 3 March to 28 April 2025. The consultation took place on the Councils online community engagement hub 'Commonplace' and paper copies were provided upon request.*

*Respondents could provide their views on the existing controls stated in the ASB Order, and on proposed changes to the Order.*

*The public consultation was advertised on the Council's social media forums and resident's newsletters, and there was also a press release. Statutory consultees were notified in writing to make them aware of the consultation. Statutory consultees included Town and Parish Councils, Devon County Council, Chief Officer of Police, Local Policing body, the Police and Crime Commissioner, and affected landowners and community representatives including Business Community, commissioned services, alcohol licensed trade, Taxi trade, health providers, users of intoxicating substances and individuals who are street attached.*

Analysis of impact on protected groups				
<p>The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. The Council also has a legal duty to have due regard to armed forces personnel when carrying out healthcare, housing and education functions. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, assess the likely outcome, before you have implemented any mitigation.</p>				
Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> <li>Reports have stated the life expectancy of someone 'sleeping rough' can be in their early 40's. Therefore, there is a clear benefit by encouraging and supporting people away from this lifestyle into sustainable accommodation with access to support services; where an intervention under the PSPO takes place in reaction to a breach of the PSPO, then that will be used to help link that person with support services both informally and through an ABC if part of a FPN.</li> <li>In Exmouth, there is growing evidence of more young people being drawn to the street attached lifestyle. Such young people are very vulnerable to exploitation in this situation, therefore using the PSPO tools to positively change behaviour will benefit this group. Street Marshalls are available to direct young people to alternative spaces that they can use, which are safe and won't put them at risk.</li> </ul>	□	□	☒
Disability	<ul style="list-style-type: none"> <li><b>Positive:</b> The Order may well have a positive effect and ensure that people who may be sleeping rough and have an addiction, engage with the support that is available and this in turn will deliver positive health benefits to them.</li> <li><b>Neutral:</b> A disproportionate number of street homeless (street attached) people suffer mental ill health and addiction and therefore present a higher risk of breaching the PSPO. To mitigate this, the Community Safety Partnership, have been developing a co-ordinated approach to weaken 'street attachments' and encourage the positive movement of an individual into sustainable accommodation with necessary support for</li> </ul>	□	☒	☒

	<p>issues of mental health, physical health and addiction.</p> <p>The measures that have been proposed will restrict the consumption of alcohol and NPS's on the street could also affect those that are alcohol dependent and/or drug dependent. The Order may well have a positive effect and ensure that people with a street attachment and have an addiction, engage with the support that is available and this in turn will deliver positive health benefits to them. The inclusion of a CPN/ABC option, will give a positive pathway to engagement with support services, and away from detrimental behaviour.</p>			
<b>Gender reassignment</b>	<ul style="list-style-type: none"> <li>There is no evidence that the order will impact on this group</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Marriage and civil partnership</b>	<ul style="list-style-type: none"> <li>There is no evidence that the order will impact on this group</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
<b>Pregnancy and maternity</b>	<ul style="list-style-type: none"> <li>There is no evidence that the order will impact on this group</li> </ul>	□	☒	□
<b>Race and ethnicity</b>	<ul style="list-style-type: none"> <li>There is a risk that a number of people begging may be asylum seekers as they have not secured fixed accommodation at that time. Officers would initially be trying to sign-post individuals into the services available rather than using enforcement. This could have a positive effect in reaching out to individuals that may previously not have been aware how to approach those services.</li> </ul>	□	☒	□
<b>Religion or belief</b>	<ul style="list-style-type: none"> <li>There is no evidence that the order will impact on this group however we will ensure there is no direct impact on religious gatherings for example and we may consult with faith-based groups to ensure no indirect impact when reviewing complaints.</li> </ul>	□	☒	□
<b>Sex</b>	<ul style="list-style-type: none"> <li><b>Positive:</b> The Order may serve to help engage members of each gender that have alcohol and substances addictions with support services, thereby having a positive impact on their health.</li> <li><b>Neutral:</b> The majority of people sleeping rough, or street attached are male. Males, particularly with a street attachment, are more likely to have an alcohol or substance addiction. The alcohol/intoxicating substances, and anti-social behaviour elements could disproportionately affect men. However, the Order may serve to engage those affected with support services and have a positive impact on their health.</li> </ul>	□	☒	☒
<b>Sexual orientation</b>	<ul style="list-style-type: none"> <li>There is no evidence that the order will impact on this group</li> </ul>	□	☒	□

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
<b>Armed Forces (including serving personnel, families and veterans)</b>	<ul style="list-style-type: none"> <li>There is no evidence that the order will impact on this group.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Other, e.g. carers, care leavers, low income, rurality/isolation, etc.</b>	<ul style="list-style-type: none"> <li>The intention is that this Order will sit alongside other interventions to encourage individuals to engage with the support services offered and this in turn will benefit the individuals involved. The use of a CPN/ ABC option will amplify this encouragement and this in turn will benefit the individuals involved.</li> <li>There is a potential impact on a number of groups that are likely to be affected. E.g. someone taking a NPS may feel their human rights have been impacted (enjoyment of property) if their supply of NPS is confiscated, or a loud, aggressive group asked to disperse (freedom of assembly and association). These human rights need to be balanced against the impact any ASB emanating from the subjects is having on other law-abiding users of a public space, and their human rights (e.g. the protection of property in relation to a retailer whose business is suffering from the ASB of groups regularly congregating outside his/her shop). The Community Safety Partnership will develop an Enforcement &amp; Positive/Restorative Pathway Protocol and training programme for officers, with safeguards to ensure this impact is mitigated, with appropriate, proportionate and compassionate application of any intervention.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Negative outcomes action plan</b> Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.				
<b>Action taken/to be taken</b>	<b>Date</b>	<b>Person responsible</b>	<b>How will it be monitored?</b>	<b>Action complete</b>
	Select date			<input type="checkbox"/>

Protected group	Summary of impact			Negative outcome	Neutral outcome	Positive outcome
	Select date				<input type="checkbox"/>	
	Select date				<input type="checkbox"/>	
	Select date				<input type="checkbox"/>	
	Select date				<input type="checkbox"/>	
	Select date				<input type="checkbox"/>	
	Select date				<input type="checkbox"/>	
	Select date				<input type="checkbox"/>	
If negative impacts remain, please provide an explanation below.						

<b>Completed by:</b>	<b>Alice Gill</b>
<b>Date:</b>	<b>16/4/25</b>
<b>Approved by:</b>	<i>Should be reviewed by the relevant Assistant Director/Director and signed off</i>
<b>Date:</b>	
<b>To be reviewed by:</b>	
<b>Review date:</b>	

***Ensure that a final copy of this impact assessment is sent to HR as per the equality impact assessment guidance.***