

MID SUSSEX DISTRICT COUNCIL

Equality Impact Assessment

Title of Policy/Service/Contract: Extension of existing Public Spaces Protection Order (PSPO) on car cruising in Burgess Hill and introduction of the order in two additional areas

Division: Communities Directorate

Lead Officer: Mandy Cunningham

Date Assessment completed: 22 December 2022

1. SCOPING

1.1 What are the aims of the policy, service/service change or contract?

In 2020 the Council adopted a PSPO to address car cruising activities and associated anti-social behaviour in Burgess Hill to address an ongoing problem within the town's public spaces. This is due to expire in April 2023.

The Council is proposing to extend the period of the Order for a further three years as the Order has resulted in a reduction in car cruising activity. The Council is also proposing to introduce an Order in two additional locations where there have been more recent car cruising activities. These are the A2300 between Burgess Hill town and the A23 and Jobs Lane and at the Birches Industrial Estate in East Grinstead. Breach of the PSPO in the first instance, will result in offenders being issued with a fixed penalty notice (FPN).

1.2 Who does the service/policy/contract affect? Who are the main customers (internal or external)?

The Order will continue to affect residents and visitors of Burgess Hill and also users of the A2300, residents of Jobs Lane and businesses, visitors and nearby residents on the Birches Industrial Estate in East Grinstead. Internal staff at the Council are already authorised and trained to issue fixed penalty notices. Sussex Police are supportive of the order and will work in partnership with the council in taking action against offenders.

To ensure that all residents and businesses in the locality are aware of the proposed extension of the order and proposed new areas. The Council carried out a public consultation in November/December 2022. This was advertised via social media and the local press and leaflet drops were also carried out in specific areas where activities have taken place in the past few months.

1.3 What equality information is available, including any evidence from engagement and analysis of use of services?

No FPNs have been issued to date since the existing PSPO was made, therefore data available is limited. However, there are no indications that this order will adversely affect any protected group.

<p>Information relating to individuals committing car cruising offences will be collected by the Council and Sussex Police, with whom the Council hold an information sharing protocol for this purpose.</p>
<p>1.4 What does this information tell us about the equality issues associated with the service and implications for the protected groups?</p> <p>The use of powers will be a reactive tool to deal with the detrimental effects of car cruising and associated anti-social behaviour in the designated public areas. Therefore, no particular group will be targeted.</p>
<p>1.5 Are contractors or partnerships used to deliver the service? Yes</p> <p>If No go to section 2. If yes, please refer to the guidance notes for completing impact assessments and complete the next three questions.</p>
<p>Identify the contractors/partnerships used to deliver the service.</p> <p>The order will be enforced in partnership by both Mid Sussex District Council and Sussex Police.</p>
<p>What is their contribution to equality in service delivery and the promotion of equality?</p> <p>Sussex Police abide by strict equality and diversity policies and procedures which can be viewed on the Sussex Police website: Diversity-Equality-Inclusion-Strategy-2020-2023-MASTER- APR 20.indd (sussex.police.uk)</p>
<p>How are equality issues addressed through contractual arrangements and service level agreements?</p> <p>Both the Council and Sussex Police are statutory organisations that are members of the wider Safer West Sussex Partnership which brings together statutory and other key partners to provide a co-ordinated and partnership approach to reduce crime and anti-social behaviour. Relevant policies and protocols are in place: Safer West Sussex Partnership (SWSP) - West Sussex County Council</p>

2. Assessment of Impact on People with a Protected Characteristic; Analysis and Action Planning

Any gaps in information or provision, opportunities to promote equalities and good relations identified above need to be translated into SMART actions and recorded here. These actions need to be delivered and monitored through the service planning process.

Opportunity to promote equality, good relations and/or address barriers to service/differential impact	Current action taken to address these	Further actions required and timescales	Lead Officer	How will impact be measured
Age (older / younger people, children)				
<p>Under the ASB, Crime and Policing Act, Fixed Penalty Notices can be issued to those aged from 10 years old.</p>	<p>Powers will, where appropriate, be used with parents / carers before any further sanction is taken against the child / young person.</p> <p>A contextual safeguarding approach will be taken when there are concerns around under 18s and we will work with the Youth Justice Service and where appropriate, WSCC's Childrens Services when dealing with a case involving someone under the age of 18 years. We would not issue notices to anyone under 18 if we believe that they are victims of criminal exploitation.</p>	<p>To be monitored regularly and review as necessary</p>	<p>Mandy Cunningham</p>	<p>Number of notices issued to those under 18 years</p> <p>Number of notices issued to parents</p>
Disability (people with physical / sensory impairment or mental disability, including those with a non-visible disability)				
<p>There may be additional needs that make it difficult for an individual to respond to what is required.</p>	<p>A contextual safeguarding approach would be undertaken in cases where there are individuals who may be more vulnerable and we would ensure that exploitation of such individuals has been ruled out before issuing any notice.</p>	<p>This will be regularly monitored</p>	<p>Mandy Cunningham</p>	<p>Number of notices issued where disability identified.</p>

	<p>Notices may be issued to individuals with additional needs however these will be taken into consideration at the time of the offence.</p> <p>Engagement with specific support services could also be included as appropriate.</p>			
<p>Gender reassignment (a transgender person is someone who proposes to, starts or has completed a process to change his or her gender)</p>				
None identified				
<p>Pregnancy & maternity (pregnancy is the condition of being pregnant & maternity refers to the period after the birth)</p>				
None identified				

Opportunity to promote equality and/or barriers to service/differential impact	Current action taken to address these	Further actions required and timescales	Lead Officer	How will impact be measured
Race (ethnicity, colour, nationality or national origins & including gypsies, travellers, refugees & asylum seekers)				
There may be differing language needs among some BME groups	Where language is an issue, when serving a notice, officers will take any details that can be obtained from an individual and ask the individual to attend the Council premises or other suitable location to discuss with the use of an interpreter before issuing the notice.	Monitor the impact of this to see if it adversely affects certain communities	Mandy Cunningham	Number of notices issued with language identified as a barrier
Religion & belief (religious faith or other group with a recognised belief system or not having a religion)				
None identified				
Sex (male / female non-binary)				
None identified				
Sexual orientation (lesbian, gay, bisexual, queer, questioning, heterosexual)				
None identified				
Marriage & civil partnership				
None identified				
Military families /veterans				
None identified				
People who are disadvantaged by socio-economic factors such as low incomes, skill or living in a deprived area				
None identified				

People who live in a rural area				
None identified				

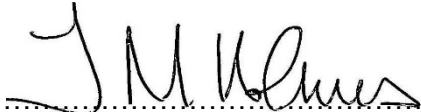
3. Mid Sussex District Council Equality Impact Assessment Summary

Key Findings	Future Actions
<ul style="list-style-type: none"> • The PSPO is a reactive tool to address the detrimental effect that car cruising can have on others. It will not target any specific protected group. • Consideration will be taken in respect of those under 18 . involved in car cruising activities to ensure that they are not being exploited by older individuals and we will work with the Youth Justice Service before issuing any notice to a minor. • Consideration will be taken in respect of those with disabilities, particularly if they have a learning disability or lack capacity to ensure that they are not victims of criminal exploitation. • We will work with an appropriate translation service where language is a barrier before issuing an individual with a notice. 	<ul style="list-style-type: none"> • Data in respect of those with disabilities, under 18 and those with language barriers who are issued with notices will be collected and recorded to assess the impact.

4. Signing off this assessment and action plan

Signature ...Mandy Cunningham.....
 Person undertaking the assessment

Date 22 December 2022.....

Signature .....
 Deputy Chief Executive

Date: 4th January 2023

Please send your completed impact assessment to Neal Barton for publication on the website.