

Equality Impact Assessment Form

When completing this form you will need to provide evidence that you have considered how the ‘protected characteristics’ may be impacted upon by this decision. In line with the General Equality Duty the Council must, in the exercise of its functions, have due regard for the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This form should be completed in conjunction with the guidance document available on the Intranet or by contacting the Corporate Support Team ext. 2607.

1. Persons responsible for this assessment:

Names: Claire Hughes and Sue Pangbourne	
Date of assessment: 16 May 2016	Telephone: 01594 810000 01594 812501 Email: Claire.hughes@fdean.gov.uk sue.pangbourne@fdean.gov.uk

2. Name of the policy, service, strategy, procedure or function:

Public Spaces Protection Order for Bream
Is this a new or existing one? New/Existing (please delete as appropriate)

3. Briefly describe its aims and objectives

<p>A Public Spaces Protection Order (PSPO) allows a local authority to introduce a series of measures into a defined locality to combat antisocial behaviour. This is a legal order that can last for up to three years.</p> <p>A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.</p> <p>The first condition is that—</p> <p>(a) activities carried on in a public place within the authority’s area have had a detrimental effect on the quality of life of those in the locality, or</p> <p>(b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.</p> <p>The second condition is that the effect, or likely effect, of the activities—</p> <p>(a) is, or is likely to be, of a persistent or continuing nature,</p>
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- (b) is, or is likely to be, such as to make the activities unreasonable, and
- (c) justifies the restrictions imposed by the notice.

The Council supports the tradition of free roaming sheep within the District and accepts that the vast majority of sheep owners are responsible. However, complaints have been received regarding the behaviour of some sheep owners, particularly in the village of Bream. These complaints led to the Council undertaking a scrutiny inquiry into irresponsible shepherding of free roaming sheep and the implementation of a PSPO was one of a number of proposals arising from the inquiry.

In April 2016, Forest of Dean District Council’s Cabinet agreed to consult on a proposed PSPO in a defined area within the village of Bream. This would allow the Council to introduce a measure to address antisocial behaviour issues associated with the irresponsible shepherding of free roaming sheep – predominantly sheep fouling on pavements - and so help to improve public spaces in the area.

If implemented, the PSPO would make it an offence for anyone to allow sheep to enter and remain within a specific area defined on a plan. However, it will not prohibit sheep from passing through the defined area whilst moving from one area of forest waste (appropriate grazing) to another. The area defined on the plan has been mapped using the complaints received about problems arising from the irresponsible shepherding of sheep, in particular sheep fouling within the village.

Anyone found to be committing an offence by breaching the PSPO could be fined up to £1,000. However, it is proposed to offer a Fixed Penalty Notice of £100 as an alternative to prosecution, which would discharge liability for the offence.

The 12 week consultation exercise has now been carried out and the results will be analysed prior to reporting back to Full Council to consider.

4. Are there any external considerations? (e.g. Legislation/government directives)

The Council has a discretionary power under the Anti-social Behaviour, Crime and Policing Act 2014 to implement Public Spaces Protection Orders to combat antisocial behavior

5. What evidence has helped to inform this assessment?

Source	✓	If ticked please explain what
Demographic data and other statistics, including census findings	<input type="checkbox"/>	

Recent research findings including studies of deprivation	<input type="checkbox"/>	
Results of recent consultations and surveys	<input checked="" type="checkbox"/>	Consultation carried out by the Council on the proposed introduction of a PSPO in Bream to combat irresponsible shepherding.
Results of ethnic monitoring data and any equalities data	<input type="checkbox"/>	
Anecdotal information from groups and agencies within Gloucestershire	<input checked="" type="checkbox"/>	A Scrutiny Task Group met with representatives from a number of individuals and bodies in the course of its work, including: the Police; the Forestry Commission; the Commoners' Association; the Sheep Liaison Committee; West Dean Parish Council; and a local sheep grazier/owner
Comparisons between similar functions / policies elsewhere	<input type="checkbox"/>	
Analysis of audit reports and reviews	<input type="checkbox"/>	
Other:	<input checked="" type="checkbox"/>	Complaints from members of the public about sheep being allowed to lie and graze within the village of Bream, fouling pavements and creating noise and traffic problems.

6. Please specify how you intend to gather evidence to fill any gaps identified above:

The 12 week consultation included: a questionnaire that could be completed online or on paper; press release; information on the Council's website and on social media; information in West Dean Parish Council's office in Bream; invitations to statutory consultees and other interested bodies to submit their views.

7. What level of impact either directly or indirectly will the proposal have upon the general public / staff? (Please quantify where possible)

Level of impact	Response
NO IMPACT – The proposal has no impact upon the general public/staff	<input type="checkbox"/>
LOW – Few members of the general public/staff will be affected by this proposal	<input type="checkbox"/>
MEDIUM – A large group of the general public/staff will be affected by this proposal	<input checked="" type="checkbox"/>
HIGH – The proposal will have an impact upon the whole community/all staff	<input type="checkbox"/>

Comments: e.g. Who will this specifically impact?

If the PSPO is brought into place, it should affect the people who visit, live or work in Bream. If successful, the PSPO would have a positive impact on the cleanliness of public areas, pavements etc. within the defined area.

8. Considering the available evidence, what type of impact could this function have on any of the protected characteristics?

	Potential Negative	Potential Positive	Neutral	Reasons	Options for mitigating adverse impacts
Age – Young People		✓		<p>Complaints received indicate that there is a particular problem with sheep fouling adjacent to the nursery in Bream.</p> <p>Only 1 respondent to the consultation identified themselves as aged 17 or under.</p>	
Age – Old People		✓		<p>Sheep fouling on the pavements in Bream presents more of a problem to older people who may find it harder to navigate around the mess.</p> <p>160 respondents to the consultation identified themselves as aged over 65. Of these, 84% supported the use of a PSPO.</p>	
Disability		✓		<p>Sheep fouling on the pavements in Bream presents more of a problem to disabled people who may find it harder to navigate around the mess.</p> <p>43 respondents to the consultation identified themselves as disabled. Of these, 81% supported the use of a PSPO.</p>	
Sex – Male			✓	<p>The irresponsible shepherds in this case are male. Implementation of the PSPO may inconvenience them as they would need to manage their sheep in a more responsible manner to keep them out of the village.</p>	<p>Graziers known to operate in the vicinity of Bream were invited to meet with the Scrutiny Task Group and discuss the problems in Bream and possible</p>

				<p>However, this is what they should be doing in the first place so it is not considered a negative effect.</p> <p>182 respondents to the consultation identified themselves as male. Of these, 75% supported the use of a PSPO.</p>	<p>resolutions. One grazier accepted the invitation.</p>
Sex – Female			✓	<p>181 respondents to the consultation identified themselves as female. Of these, 75% supported the use of a PSPO.</p>	
Race including Gypsy and Travellers			✓		
Religion or Belief			✓		
Sexual Orientation			✓		
Gender Reassignment			✓		
Pregnancy and maternity			✓		
Geographical impacts on one area		✓		<p>The PSPO is within the village of Bream. If implemented and enforced successfully it should have a positive impact on the village environment.</p> <p>253 respondents identified themselves with living in the area covered by the proposed PSPO map. Of these, 85% supported the use of a PSPO.</p> <p>56% of 106 respondents who stated they were Forest of Dean district residents living outside the proposed PSPO area shown on the map were in favour of a PSPO, suggesting that the issue is one on which the community as a whole is divided.</p>	
Other Groups –			✓		

Consultation responses:

Are you Male/Female?	Number of respondents:
Male	182
Female	181
Question not answered	24

What is your Age Group?	Number of respondents:
Under 17	1
18 - 39	36
40 - 64	172
Over 65	160
Question not answered	18

Do you identify yourself as disabled?	Number of respondents:
Yes	43
No	326
Question not answered	18

9. Action plan (add additional lines if necessary)

Action(s)	Lead Officer	Resource	Timescale
Carry out consultation	Claire Hughes and Karen Rushworth	Officer time and printing costs (within existing budgets)	Consultation ran for 12 weeks

Declaration

I am are satisfied that an equality impact assessment has been carried out on this policy, service, strategy, procedure or function and where an negative impact has been identified actions have been developed to lessen or negate this impact. We understand that the Equality Impact Assessment is required by the District Council and that we take responsibility for the completion and quality of this assessment.

Completed By:	Sue Pangbourne	Role:	Head of Paid Service	Date:	15 September 2016
Line Managers signature:				Date:	
Reviewed by Corporate Equality Officer Group:				Date:	

Please forward an electronic copy to the Corporate Support Team – corporatesupport@fdean.gov.uk.