

Please ask for:

Lisa Young

Direct dial:

(023) 9254 5340

Fax: **(023) 9254 5587**

E-mail: **lisa.young@gosport.gov.uk**

9 October 2017

S U M M O N S

MEETING: Extraordinary Community Board
DATE: Tuesday, 17 October 2017
TIME: 6pm
PLACE: Council Chamber, Town Hall, Gosport
Democratic Services contact: Lisa Young

MICHAEL LAWThER
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

The Mayor (Councillor Mrs Batty) (ex-officio)
Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio)

Councillor Burgess (Chairman)
Councillor Murphy (Vice Chairman)

Councillor Bateman
Councillor Mrs Cully
Councillor Earle
Councillor Mrs Hook
Councillor Mrs Huggins
Councillor Hylands

Councillor Mrs Jones
Councillor Miss Kelly
Councillor Mrs Morgan
Councillor Ronayne
Councillor Scard
Councillor Wright

FIRE PRECAUTIONS

(To be read by the Chairman if members of the public are present)

In the event of the fire alarm sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Councillors are requested to note that, if any Councillor who is not a Member of the Board wishes to speak at the Board meeting, then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off or switched to silent for the duration of the meeting.
- iii. This meeting may be filmed or otherwise recorded. By attending this meeting, you are consenting to any broadcast of your image and being recorded.

Extraordinary Community Board
17 OCTOBER 2017

AGENDA

1. APOLOGIES FOR NON-ATTENDANCE
2. DECLARATIONS OF INTEREST
All Members are required to disclose, at this point in the meeting or as soon as possible thereafter, any disclosable pecuniary interest or personal interest in any item(s) being considered at this meeting.
3. DEPUTATIONS – STANDING ORDER 3.4
(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Friday, 13 October 2017. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).
4. PUBLIC QUESTIONS – STANDING ORDER 3.5
(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Friday, 13th October 2017).
5. PROPOSED PUBLIC SPACE PROTECTION ORDER – TOWN CENTRE
Report to follow
6. ANY OTHER ITEMS

PART II

AGENDA ITEM NO.5

Board/Committee:	Community Board
Date of Meeting:	17 th October 2017
Title:	Proposed town centre public spaces protection order
Author:	Borough Solicitor and Deputy Chief Executive
Status:	FOR DECISION

Purpose

This report seeks the approval of the Community Board to make a public spaces protection order (PSPO) for the locality of Gosport town centre where aggressive begging, and alcohol / drug related anti-social behaviour (ASB) are prevalent and have a detrimental effect on the quality of life of those who live and work in or visit this area

Recommendation

- i. To consider the results of the consultation exercise in relation to this matter carried out between 25th August and 6th October 2017 as set out at Appendix A.
- ii. To approve a PSPO in the form of Appendix B to control ASB in public places within the area shown edged black in the accompanying plan (the "Restricted Area").
- iii. To delegate authority to the Borough Solicitor and Deputy Chief executive to take the necessary steps, including the publicity requirements, to implement the PSPO in the form of Appendix B.

1 Background

- 1.1 Aggressive begging, alcohol and drug related ASB (the "Activities") is becoming increasingly prevalent in Gosport High Street, The Bus Station, Falkland Gardens and The Ramparts. This conduct can have a detrimental impact on the quality of life for those who live and work in or visit Gosport town centre.
- 1.2 The Anti-Social Behaviour, Crime and Policing Act 2014 (the "Act") introduced new powers to tackle ASB in public places. A public place means any land or premises open to the public with or without payment whether expressly or impliedly (Public Place").
- 1.3 A PSPO provides for restrictions to be placed on behaviour that apply

to everyone in that public area (with the possible use of exemptions).

- 1.4 Breach of a PSPO restriction, without a reasonable excuse, is a criminal offence. The maximum penalty on conviction is a fine not exceeding £1,000. A fixed penalty of £100 within 14 days (or £50 in 7 days) can be offered as an alternative to prosecution, which if paid in full discharges a person's liability to criminal proceedings.
- 1.5 A PSPO is enforceable by Council officers authorised by the Chief Executive as well as police constables and police community support officers ("Authorised Officers").
- 1.6 A PSPO can last up to three years, after which it must be reviewed. It may upon review be extended for an up to a further three years. There is no limit on how many times it may be renewed.
- 1.7 The Act allows the Council to make a PSPO if it is satisfied that the two conditions below are met (the "Legal Threshold")
 - a. *Activities carried on in a public place have had or will have a detrimental effect on the quality of life of those in the locality; and*
 - b. *The activities are persistent or continuing and are unreasonable and the restrictions imposed by the PSPO are justifiable.*
- 1.8 On 23rd August 2017 the Chief Executive approved for the purposes of consultation only a PSPO for all Public Places within the geographical area of Gosport town centre showed edged black on the plan at Appendix B.
- 1.9 The proposed prohibitions and requirements of the PSPO are as follows:
 - 1.9.1 Prohibitions
 - i). A person shall not engage in any conduct that causes or is likely to cause alarm, harassment or distress to a reasonable member of the public arising from the consumption of alcohol; or use of drugs; or begging;
 - ii) A person shall not urinate or defecate in a Public Place otherwise than in a facility intended for that purpose.
 - 1.9.2 Requirements
 - i). A person shall comply with any direction of an Authorised Officer to cease using drugs; surrender any drugs or drug paraphernalia.
 - ii). A person in breach of clause 1.9.1 or 1.9.2i above or the *DPPO shall comply with any direction of an Authorised Officer to disperse

from a defined public space within the Restricted Area and not return there for up to 12 hours.

2 ASB Complaints

- 2.1 The Council and police have over the past 12 months received 35 complaints from members of the public and businesses about ASB in the Restricted Area linked to drug activity, alcohol consumption, and begging related conduct. Of these complaints 7 were alcohol related, 19 were drug related and 10 were begging related.

Alcohol related ASB

- 2.2 Street drinking in itself can be perceived as upsetting and threatening by other users of Public Places. It is particularly upsetting when the activity is accompanied by public disorder such as verbal abuse and other offensive behaviour.
- 2.3 The Council made a Designated Public Places Order in 2008, which covers all Public Places in the Borough except premises licensed for the sale or supply of alcohol ("DPPO").
- *2.4 The DPPO empowers the police to require a person to cease consumption of the alcohol and surrender alcohol containers.
- 2.5 It is a criminal offence for a person to, without reasonable excuse; fail to comply with a DPPO direction.
- 2.6 The DPPO will automatically convert into a PSPO on 20th October 2017 under the transitional provisions of the Act and remain in force until 20th October 2020.
- 2.7 The Council and the police are of the view that the DPPO does not go far enough in addressing the ASB arising from street drinking in the Restricted Area.
- 2.8 There is currently no control over those persons who, even after their alcohol has been confiscated, continue to engage in ASB in the Public Places or acquire more alcohol and return to the Public Place
- 2.9 Begging
There have been complaints of persons loitering in Gosport High Street outside cash machines and the ferry ticket machines asking for money from customers withdrawing cash or buying tickets. Some members of the public have stated they are intimidated by this activity and feel especially vulnerable when withdrawing money or getting cash out of their purse/wallet to buy a ferry ticket.
- 2.10 On occasions, when members of public have declined to give persons money or walked away, they have been met with verbal abuse.

- 2.11 Begging is a criminal offence under the Vagrancy Act 1824. However, there is no power for an Authorised Officer to issue a fixed penalty notice for the offence or to require a person to disperse from the area and not return there for a period.

Drug related activity

- 2.12 There have been a number of reports of persons openly injecting drugs in the Restricted Area. The behaviour of persons under the influence of drugs is unpredictable, especially if mixed with alcohol, and they may engage in verbal abuse or offensive behaviour.
- 2.13 Used needles deposited in Public Places pose a risk to public health from needle stick injury which can be associated with the transmission of blood borne pathogens such as hepatitis B virus (HBV), hepatitis C virus (HCV) and HIV associated with needle stick injuries.
- 2.14 In recent years the use of Psychoactive Substances (PS), known as legal highs, has increased. They are unpredictable in their effect, but are often mixed with hard drugs (heroin, cocaine, etc.) or alcohol. Intoxicated persons can become very aggressive, or very passive and vulnerable. Despite legislation to criminalise supply of PS in April this year, consumption remains legal.

2.15 Urination and defecation

- The Council and the police have received complaints of persons, usually in drink or under the influence of drugs, urinating in the passageways of the Bus Station and the High Street.
- 2.16 This is mainly a problem at night-time when people leave establishments after drinking, although it can also take place during the day.
- 2.17 People who urinate in the street often do so against or near premises or in shop fronts, making it very unpleasant for the premises owners or residents who must clean up the mess, and for employees, visitors and customers who frequent the premises and have to walk through the mess. For many, it can also add to the perception of feeling unsafe.
- 2.18 It is not an offence under the criminal legislation or local byelaws to urinate or defecate in a Public Place.

3. **Consultation**

- 3.1 The Act requires the Council to carry out the necessary consultation before making a PSPO, which includes the chief constable of Hampshire Police and police crime commissioner and the public (PCC).

- 3.2 The Council have received an email from chief inspector Sharon Woolrich of Hampshire Constabulary confirming that the police fully support the proposals.
- 3.3 An online survey on the proposal to introduce PSPOs to control aggressive begging, street drinking and drug related activity was held between 25th August and 6th October 2017.
- 3.4 The survey produced over 300 responses, predominately from people living in the PO12 post code.
- 3.5 45.40 % of respondents stated that they had been affected by alcohol or drug related ASB in Gosport in the past 12 months with 7% unsure or preferring not to say.
- 3.6 48.57% of respondents stated that they had been affected by begging related ASB in Gosport over the past 12 months with 5% unsure or preferring not to stay.
- 3.7 The majority of respondents who had been affected by ASB stated that it had occurred in the High Street and Falkland gardens.
- 3.8 The comments from those respondents who indicated that the ASB had impacted on them can be summarised as
- intoxicated persons engaging in rowdy and disorderly behaviour and using fouling language – taking over public spaces’
 - littering, including used needles, deposited on the ground;
 - members of the public, including young children and the elderly, have been approached in the High Street for money -- on some occasions there has been verbal abusive when the member of the public has declined;
 - Members of the public feel distressed, intimidated by the behaviour and in some cases try to avoid the High Street.
- 3.9 51% of respondents stated that overall the PSPO will have a positive impact with 26% unsure. The comments from respondents who stated the PSPO would have no impact can be summarised as:
- the police and council will not effectively enforce the PSPO so the ASB will just continue;
 - more needs to be done by the Council and other agencies to support the people that engage in this ASB address underlying issues such as homelessness, mental health etc;
 - criminalising the ASB or moving is not going to improve matter

in the long term

33.9% of respondents said that the PSPO should be limited to Public Places in the town centre. The majority of respondents were concerned about potential displacement into other public places in the Borough should the application of the PSPO only extend as far as the town centre.

4. **Rough sleepers**

- 4.1 Rough sleeping in Public Places in the Restricted Area is not considered in itself to be ASB. There is no proposal to prohibit this activity under the PSPO.
- 4.2 The Council has the power under the common law to take action, where necessary and proportionate, to recover possession of any land or premises in its ownership, which is occupied without its consent. It is a matter for the owner or lawful occupier of any other land or premises to take their own action.

5. **Support and Intervention**

- 5.1 It is recognised that persons engaging in the Activities maybe vulnerable through being street homeless and / or having mental health or alcohol or addiction issues.
- 5.2 Council officers, as well as police and charities, regularly engage with rough sleepers on the street and offer them support in finding temporary accommodation and dealing with addiction or mental health issues.
- 5.3 The Council's hostels have space for up to 170 people, including homeless families and single people such as rough sleepers. In the last 12 months the council has provided long-term accommodation to 109 homeless applicants.
- 5.4 The Council chairs a group of local organisations which meets regularly to address issues related to rough sleeping.
- 5.5 The Council works in partnership with Two Saints, a local homelessness charity to support people who are homeless or threatened with homelessness.

Two Saints provide the following services:

-a specialist outreach worker to engage with those sleeping rough on the street;

-a local direct access hostel and other supported housing schemes which provide accommodation ;

-help and support with a range of issues such as accessing medical services and substance misuse teams and tenancy sustainment.

- 5.6 Tackling the ASB will not be achieved by enforcement action in isolation. A focus on Identifying vulnerable individuals who engage in the activities will continue to be part of the solution.

6. **Alternatives to the PSPO**

- 6.1 There are other enforcement options which target individuals responsible for ASB such civil injunctions, criminal behaviour orders and community protection notices. The nature of the ASB is such that the Activities are often undertaken by groups rather than individuals.
- 6.2 The police dispersal power is only exercisable on the direction of a police inspector. The dispersal power proposed under the PSPO is more flexible in that it will be conferred on Council officers as well as the Police and can be issued to individuals engaging in one or more of the Activities which cause harassment, alarm or distress to others

7. **Proportionality of the proposed measures**

- 7.1 The Council is not seeking a blanket prohibition on the consumption of alcohol or PS or begging in Public Places within the Restricted Area.
- 7.2 The prohibitions apply where the Activity causes or is likely to cause alarm, harassment, alarm or distress to any reasonable member of the public.
- 7.3 The power to require a person to disperse for breach of one or more restrictions on begging, alcohol consumption and drug use is limited to no more than 12 hours. This balances the need for swift action taken for the ASB to cease in order to protect the public with the rights of individuals to use public spaces.
- 7.4 The Council believes that on balance the interest of the community to enjoy public spaces without having to be subjected to the ASB described outweighs any impact on the persons affected by the restrictions.
- 7.5 The Council may offer the person an Acceptable Behaviour Contract ("ABC") rather than a fee, when issued with a fixed penalty notice (FPN).
- 7.6 The ABC is voluntary and non-binding and can include promises to make positive actions, such as accessing housing or addiction services and/or undertake restorative measures such cleaning up vomit etc (something that other authorities have introduced).
- 7.7 The Council will only prosecute in those cases where a FPN has been

issued and either the fee has not been paid or a requirement of an ABC has been breached, and prosecution is in accordance with the Council's generic enforcement policy.

- 7.8 The majority of the ASB complaints have occurred in the High Street and Falkland Gardens. It is therefore proportionate for the geographical area that the PSPO is to apply to be restricted to the locality of Gosport town centre and not beyond.

8. Risk Assessment

- 8.1 If ASB arising from the Activities is not tackled effectively it is likely to continue to have a detrimental effect on the quality of life for many people in Gosport town centre, and discourage people from using businesses and amenities within the town centre
- 8.2 The focus of the Council and the Police remains on supporting individuals identified as vulnerable through issues such as addiction. Enforcement will be targeted on those who unreasonably refuse help and assistance and engage in ASB.
- 8.3 The approach to enforcing the PSPO will be the key to their success in tackling the ASB within the Restricted Area. Any enforcement activity should be supported by community education to highlight the availability of support services. This approach has been agreed with the police.

9. Conclusion

- 9.1 The Council can be satisfied that the Legal Threshold to make a PSPO is met as evidenced by the information set out in this report.
- 9.2 The results of the consultation exercise are such that the majority of respondents support the proposal.
- 9.3 It is, therefore, recommended the PSPO in the form of Appendix B be implemented without amendment.
- 9.4 If the Community Board were to resolve to adopt a PSPO for the Restricted Area it would come into force on 17th November 2017.
- 9.5 The Council is required by the Act to publish a PSPO as made on its website and affix notices adjacent to the Public Places as it considers sufficient to draw the attention of any member of the public using that place it has been made.

Financial Services comments:	
Legal Services comments:	As contained in the report. Section 66 of the Act does allow an 'interested person' to apply to the High Court to challenge the validity of the PSPO on prescribed grounds. Any appeal must be made within 6 weeks of the PSPO being made.
Crime and Disorder:	As contained in the report
Equality and Diversity:	The Council must assess, having regard to all the circumstances, the impact that the proposed PSPO and its enforcement will have on its duty to advance equality of opportunity for all and need to eliminate discrimination. A full impact assessment has been undertaken for the purpose.
Service Improvement Plan implications:	None
Corporate Plan:	The adoption of the proposed PSPO will further the Council's mission to strengthen community safety.
Risk Assessment:	Contained in the report
Background papers:	None
Appendices/Enclosures:	
Appendix 'A'	Consultation Report
Appendix 'B'	PSPO
Appendix 'C'	EIA and full Impact Assessment
Report author/ Lead Officer:	Jamie Paterson

APPENDIX A

Public Spaces Protection Order – Consultation report

1. INTRODUCTION

1.1 Gosport Borough Council has consulted the following persons or organisations on proposals for a new public protection order for Gosport town centre (the Consultees):-

1.1.1“Partners” means the Police, Highways Authority; Defence Infrastructure Organisation;

1.1.2“Stakeholders” means businesses and service providers, taxi operators and housing associations, welfare and outreach organisations;

1.1.3“The Public” means a Gosport resident, person who visit or work in Gosport.

1.2 The consultation period commenced on 25th August 2017 and ended on 6th October 2017.

1.3 This report sets out the background to the consultation, how it was undertaken, the number of responses received, the results, and analysis.

2. BACKGROUND

2.1 The Council has the power to make public spaces protection orders (PSPOs) for public spaces in its area. Public space is defined as any place accessible by the public with or without payment such as the bus station and pontoon.

2.2 The purpose of a PSPO is to control anti -social behaviour (ASB) in public spaces arising from certain activities, which is having a detrimental effect on the quality of life of those living and working within the local area. It is an offence for a person to, without reasonable excuse, to breach or fail to comply with a PSPO restriction.

2.3 Since the beginning of the year there has been an increase in the number of complaints made to the Council and police of ASB in Gosport town centre in particular the High Street, Bus Station, Falkland Gardens and The Ramparts. The ASB reported is in many cases linked to the consumption of alcohol, drug use, aggressive begging (the “Activities”).

2.4 The Council made a designated public place order in 2009 for all public places in the Borough other than licensed premises. The DPPO confers a discretionary power on the police to address street or nuisance drinking by requiring a person to cease consumption of alcohol and surrender any alcohol or alcohol containers.

2.5 The Council is considering adopting a new PSPO that covers all public spaces within the area shown edged black on the plan at x, which includes the High Street, Bus Station, Falkland Gardens and the Ramparts (the "Restricted Area").

2.6 The proposals are as follows:

2.6.1 To prohibit

-Any conduct in the Restricted Area that causes or is likely to cause alarm, distress or harassment to any reasonable member of the public linked to any of the Activities

-Urinating or defecating in the Restricted Area other than in a toilet

2.6.2 To require

-a person in breach of 2.5.1 to stop using drugs; surrender any drugs or paraphernalia if directed by an *Authorised Officer to do so.

-a person in breach of 2.5.3 or the DPPO to disperse from a defined public space and not return for a period of up to 12 hours if required to do so by an *Authorised Officer

*Officer authorised by chief executive or Police constable

2.7 The Chief Executive has agreed that there should be consultation with Partners, Stakeholders and the Public on the proposals before a final decision is taken whether to adopt the PSPO.

3. PRINCIPLES OF CONSULTATION

3.1 The Council takes its duty to consult with Partners, Stakeholders and the Public on the proposals for a new PSPO for the Restricted Area very seriously.

3.2 It recognises that ASB will continue to have detrimental effect on a community if it cannot be properly addressed through positive intervention or existing enforcement tools.

3.3 Blanket restrictions on activities in public spaces may have the unintended consequence of penalising the law abiding majority from enjoying public spaces. The Council is mindful that many people who come to its attention for ASB in the Restricted Area may themselves be vulnerable through addiction, housing or health issues and criminalising them may not tackle the underlying issues driving the ASB.

3.4 The Council is therefore, committed to consulting as widely as possible with all groups and persons that may be affected by the proposals for a new PSPO so it can make a fully informed and balanced decision as to whether it is satisfied the legal threshold for a PSPO is met.

4. APPROACH

- 4.1 The approach for this consultation was to use a survey, which respondents could quickly and easily complete online.
- 4.2 This method enabled an appropriate amount of explanatory and supporting information to be included in a structured questionnaire, helping to ensure that Consultees are aware of the background and context to the proposals.
- 4.3 A notice was posted on the council website with a link to the survey on the notice and survey questions are produced at schedule 1.

5. PROMOTION AND COMMUNICATION

- 5.1 The consultation was promoted in the following ways:
 - 5.1.1 Notice published in the Hampshire Chronicle
 - 5.1.2 Article in "The News"
 - 5.1.3 Posters in the main Town hall reception area with details of the consultation
 - 5.1.4 Letter sent to Partners and Stakeholders
- 5.2 The Council's Facebook and Twitter accounts were used to signpost the Public and Stakeholders to the consultation information and questionnaire.

6. CONSULTATION RESPONSES

- 6.1 The Council have received an email from chief inspector Sharon Woolrich of Hampshire Constabulary confirming the police fully support the proposals. The said email is produced at schedule 2.
- 6.1 The survey was completed by over 300 respondents

7. DEMOGRAPHIC

- 7.1 88.27% of the respondents were local residents.

8. SURVEY RESULTS

8.1 Question *In the past 12 months have you been affected by alcohol or drug related ASB in Gosport?*

8.1.1 Yes 45.4% of respondents

8.1.2 Don't Know / Prefer not to say 7.62% of respondents

8.1.3 No 46.98% of respondents

8.2. Question *In the past 12 months have you been affected by begging related ASB in Gosport?*

8.2.1 Yes 48.57

8.2.2 Don't Know / Prefer not to say 5.08%

8.2.3 No 46.35%

8.3 If respondents answered yes to questions 8.1 or 8.2 they were able to

8.3.1 specify the location of the incident

More than half of the respondents who specified a location stated the ASB occurred at the High Street or Bus Station or Falkland Gardens

8.3.2 specify how the incident has impacted them

Comments can be summarised as:

- Intoxicated persons engaging in rowdy and disorderly behaviour and using fouling language – taking over public spaces
- Littering, including used needles, deposited on the ground
- Members of the public, including young children and the elderly, have been approached in the High Street for money — on some occasions there has been verbal abuse when the member of the public has declined
- Members of the public feel distressed, intimidated by the behaviour and in some cases try to avoid the High Street

8.4 Question *Overall, what impact do you think having the PSPO in place will have?*

8.4.1 51.75% of respondents said positive impact

8.4.2 26.03% of respondents said didn't know

8.4.3 22% respondents said no impact

8.5 If respondents said negative impact they were asked to say why

8.5.2 No impact comments can be summarised as

- The police and council will not effectively enforce the PSPO so the ASB will just continue

- More needs to be done by the Council and other agencies to support the people that engage in this ASB address underlying issues such as homelessness, mental health etc.
- Criminalising the ASB or moving is not going to improve matter in the long term

8.6 Question . *Do you think the PSPO should only apply to the town centre area edged black on the plan below?*

33% of respondents said yes

66.10 % respondents said no.

- The majority of respondents who said no said that proposed geographical area is not wide enough. It should be Borough Wide



GOSPORT
Borough Council

Gosport Town Centre Public Space Protection Order (PSPO) 2017

Introduction

The number of complaints to Gosport Borough Council (GBC) and the Police of Anti-Social Behaviour (ASB) in Gosport High Street, Falkland Gardens, the Bus Station and surrounding areas arising from the consumption of alcohol, the use of drugs and begging has increased significantly over recent months.

Complaints include:

- Persons loitering by cash and ticket machines and asking members of the public for money
- Persons openly injecting drugs
- Discarding used needles which may pose a risk to members of the public
- Persons in drink being verbally abusive to passers by
- Urinating in the street

In 2008 GBC successfully applied for a Designated Public Place Order (DPPO) for the borough to address ASB linked to the consumption of alcohol in public places. The order gives a Police Officer the power to require a person to cease the consumption of alcohol and surrender any alcohol or alcohol container if asked. It is an offence for a person to, without reasonable excuse, fails to comply with this request.

On the 20 October 2017 this DPPO will automatically become a PSPO. However, under the Anti-Social Behaviour Crime and Policing Act 2014 councils have the power to introduce a PSPO which deals with a particular nuisance or problem in a defined area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone.

A PSPO is designed to make public spaces more welcoming to the public and communities by stopping individuals or groups committing ASB in a public space. GBC is therefore asking members of the public if they should implement a PSPO to restrict ASB which impacts negatively on people's quality of life. Under the proposed PSPO it would be an offence, without reasonable excuse, for a person in a proposed area to:

- engage in conduct causing harassment, alarm or distress to any reasonable member of the public arising from the consumption of alcohol or use of drugs or begging
- fail to on request by an Authorised Person to cease consuming alcohol or drugs and surrender any alcohol or drugs containers or drug paraphernalia.
- fail to disperse from a specific public place and not return for up to 12 hours on request by an Authorised Person.

The views of businesses, residents, visitors, partner agencies and other stakeholders is important to GBC and as such a period of consultation will run for six weeks from 25th August 2017 to 6th October 2017.

The Community Board at a public meeting to be held at at 6pm on 17th October 2017 Gosport Borough Council Town Hall will have regard to the results of the consultation exercise and make the final decision as to whether the PSPO proposed should be adopted. If adopted the PSPO will come into force on 17th November 2017.



GOSPORT
Borough Council

Gosport Town Centre Public Space Protection Order (PSPO) 2017

Section 1 - About you

* 1. Are you responding to this consultation as: (please select all that apply)

- ☐ A local resident who lives in Gosport
- ☐ A person who works in Gosport
- ☐ Local Business owner/Manager
- ☐ Visitor to Gosport (eg a shopper, on business, tourist)
- ☐ Representative of a local community group
- ☐ Other (please specify)

* 2. Please let us know your postcode so we are able to map responses



Gosport Town Centre Public Space Protection Order (PSPO) 2017

SECTION 2 – Alcohol or drug related Anti Social Behaviour

* 3. In the past 12 months have you been affected by alcohol or drug related ASB in Gosport?

- ☐ Yes
- ☐ No
- ☐ Don't know
- ☐ Prefer not to say

* 4. In the past 12 months have you been affected by begging related ASB in Gosport

- ☐ Yes
- ☐ No
- ☐ Don't know
- ☐ Prefer not to say

5. If you answered yes to questions 3 or 4 please share with us the location of the incident and how it has impacted on you

Location of the incident
(street/park name)

Impact on you

* 6. Overall, what impact do you think having the PSPO in place will have?

- ☐ Positive impact
- ☐ No impact
- ☐ Don't know

7. Please let us know if you think the PSPO will have a positive impact

8. Please let us know if you think the PSPO will have a negative impact



Gosport Town Centre Public Space Protection Order (PSPO) 2017

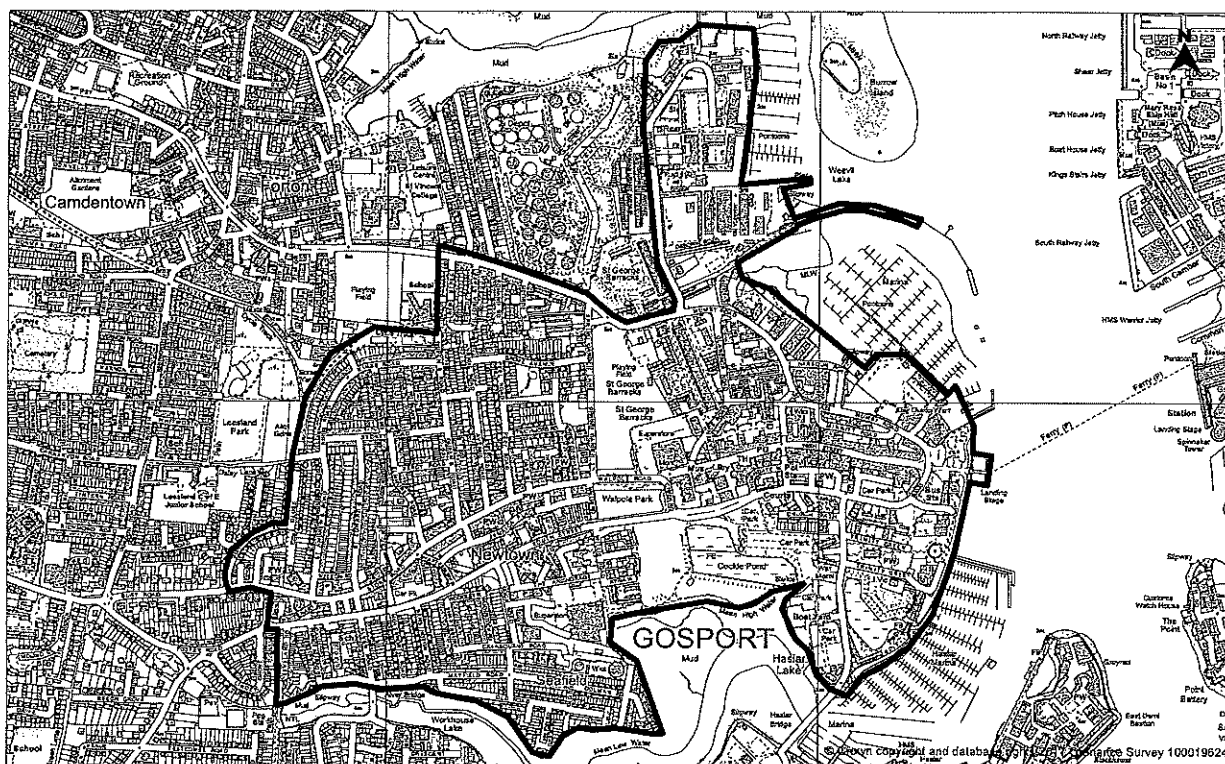
SECTION 3 – Area for the PSPO

9. Do you think the PSPO should only apply to the town centre area edged black on the plan below

☐ Yes

☐ No, please explain your reasons

Proposed area in Q9.



TOWN HALL, HIGH STREET, GOSPORT,
HANTS, PO12 1EB.



DATE: 24/08/2017

Scale 1:10000
0 80 160 240 320 400 m

If this map has been transmitted electronically, use the scale bar in preference to the written scale



Gosport Town Centre Public Space Protection Order (PSPO) 2017

Section 4 - About You

Gosport Borough Council is committed to promoting equality of opportunity and respect for diversity in the services we provide.

The following questions are to help us understand how a Public Space Protection Order (PSPO) would impact different groups of people. It is not compulsory to answer the questions but providing this information will help us to monitor how effectively we are engaging with a range of people across the communities we serve.

Note: If you are answering on behalf of a community group or organisation, then you do not need to complete this section.

10. Are you?

- ☐ Male
☐ Female

11. Is your gender identity the same as you were assigned at birth?

- ☐ Yes
☐ No

12. What is your age?

- | | |
|--------------------------------|----------------------------------|
| <input type="radio"/> Under 16 | <input type="radio"/> 55-64 |
| <input type="radio"/> 16-24 | <input type="radio"/> 65-74 |
| <input type="radio"/> 25-34 | <input type="radio"/> 75-84 |
| <input type="radio"/> 35-44 | <input type="radio"/> 85 or over |
| <input type="radio"/> 45-54 | |

13. How would you describe yourself?

- | | |
|--|---|
| <input type="radio"/> Heterosexual or straight | <input type="radio"/> Gay man |
| <input type="radio"/> Lesbian | <input type="radio"/> Prefer not to say |
| <input type="radio"/> Bisexual | |

14. Which group do you most identify with?

- | | |
|---------------------------------|---|
| <input type="radio"/> None | <input type="radio"/> Buddhist |
| <input type="radio"/> Muslim | <input type="radio"/> Hindu |
| <input type="radio"/> Jewish | <input type="radio"/> Other religion |
| <input type="radio"/> Christian | <input type="radio"/> Prefer not to say |
| <input type="radio"/> Sikh | |

15. To which of these groups do you consider you belong?

- | | |
|---|--|
| <input type="radio"/> Prefer not to say | <input type="radio"/> Asian or Asian British - Indian |
| <input type="radio"/> White - British | <input type="radio"/> Asian or Asian British - Bangladeshi |
| <input type="radio"/> White - Irish | <input type="radio"/> Asian or Asian British - Chinese |
| <input type="radio"/> White - Gypsy or Irish Traveller | <input type="radio"/> Asian or Asian British - Any other Asian background |
| <input type="radio"/> Any other White background | <input type="radio"/> Black/African/Caribbean/Black British - African |
| <input type="radio"/> Mixed/Multiple ethnic groups - White and Black African | <input type="radio"/> Black/African/Caribbean/Black British - Caribbean |
| <input type="radio"/> Mixed/Multiple ethnic groups - White and Black Caribbean | <input type="radio"/> Black/African/Caribbean/Black British - Any other Black background |
| <input type="radio"/> Mixed/Multiple ethnic groups - White and Asian | <input type="radio"/> Other Ethnic Group - Arab |
| <input type="radio"/> Mixed/Multiple ethnic groups - Any other multi mixed background | <input type="radio"/> Other Ethnic Group - Other |
| <input type="radio"/> Asian or Asian British - Pakistani | |
| <input type="radio"/> Other (please specify) | |

Schedule 2

Paterson, Jamie

From: Kenny, Sorrell
Sent: 10 October 2017 12:11
To: Paterson, Jamie
Subject: PSPO - Police Feedback

Importance: High

Hi Jamie,

Please see below from Chief Inspector Sharon Woolrich.

Kind regards,

Sorrell

Sorrell Kenny
Community Safety Team Leader
02392 545690
sorrell.kenny@gosport.gov.uk
www.safergosport.co.uk

-----Original Message-----

From: Woolrich, Sharon [<mailto:sharon.woolrich@hampshire.pnn.police.uk>]
Sent: 10 October 2017 11:02
To: Thompson, Richard; Kenny, Sorrell
Subject: PSPO

We fully support.

Police welcome the application for the PSPO. It will see additional powers not only for police but also partners to address issues which are very important to the people of Gosport. We are fully committed to working with partners to tackle issues of crime and disorder and these additional powers cement that partnership working.

Sharon

Sent from my Windows Phone

Please consider the environment before printing this email.

APPENDIX B – DRAFT PSPO

Section 59 The Anti-Social Behaviour, Crime and Policing Act 2014 (the “Act”)

The Borough of Gosport Town Centre Public Spaces Protection Order 2017

Gosport Borough Council (the “Council”) having been satisfied that the conditions set out at section 59 of the Act are met upon the following detrimental activities being carried on in the Restricted Area:

- anti-social behaviour linked to begging,
- anti-social behaviour linked to alcohol or drug use, and
- urinating or defecating

The Council hereby makes the following Public Spaces Protection Order for its area:

1. Interpretation

1.1 “Authorised Person” means a Council officer authorised by the chief executive of the Council or police constable or police community support officer, who must present their authority upon request;

1.2 “DPPO” means the designated public places order made by the Council in 2008 for all land or premises open to the public in the Borough of Gosport (other than consumption of alcohol on premises authorised for the sale or supply of alcohol)

1.3 “Public Place” means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission;

1.4 “Restricted Area” means any Public Place in the area shown edged black on the plan at **Schedule 1** to this order.

2. Restrictions

2.1. No person shall in the Restricted Area engage in any conduct capable of causing or likely to cause harassment, alarm or distress to any reasonable member of the public arising from the consumption of alcohol; the use of drugs; or begging.

2.2 No person shall in the Restricted Area fail or refuse to comply with any requirement of an Authorised Person to cease using drugs; or surrender any drugs, or any drug containers, or any drug paraphernalia in their possession.

2.3 No person shall urinate or defecate in the Restricted Area otherwise than in a facility intended for such use.

2.4 No person who is:

- (a) in breach of paragraphs 2.1 or 2.2 or 2.3 above; or
- (b) in breach of the requirement to cease consumption of alcohol or surrender any alcohol containers to an Authorised Person under the DPPO

shall

- (a) refuse or fail to disperse from a defined Public Place in the Restricted Area;
and
- (b) return to the defined Public Place in the Restricted Area within 12 hours of being required to disperse

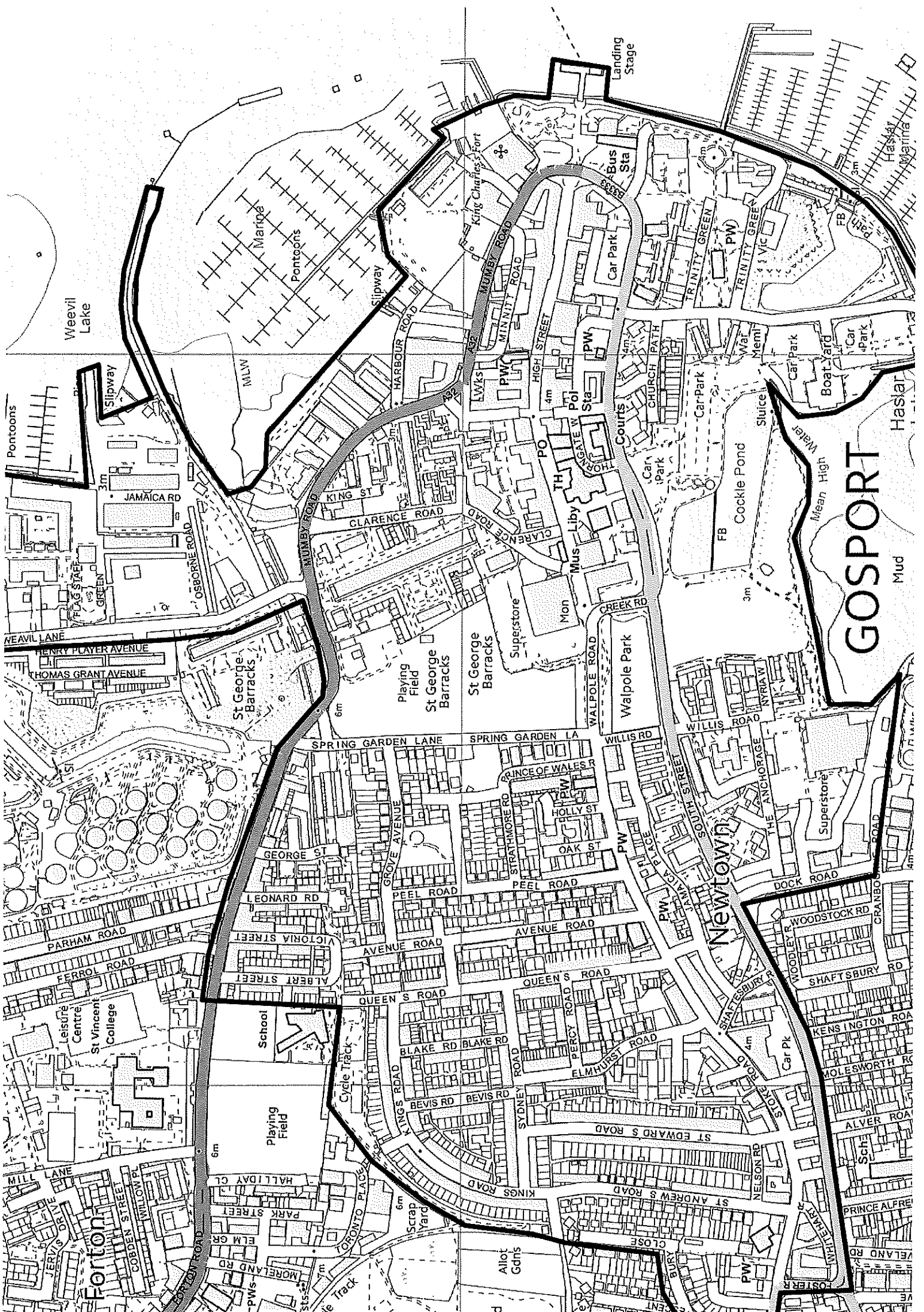
if required to do so by an Authorised Person.

3. Penalty

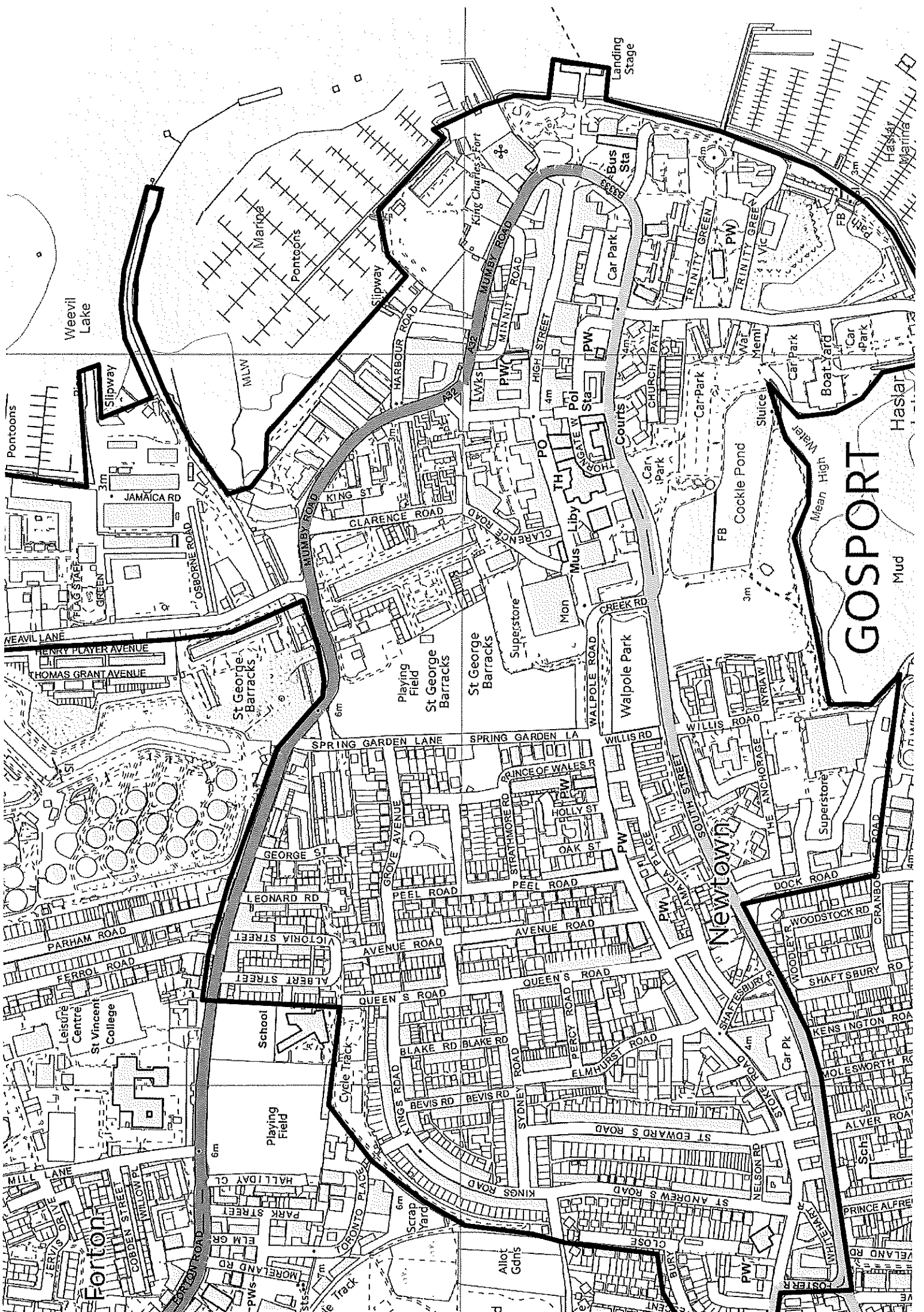
3.1 It is an offence contrary to section 67 of the Act for a person without reasonable excuse to fail to comply with the restrictions in paragraphs 2.1 or 2.2 or 2.3 or 2.4 or 2.5 above. A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding £1,000.

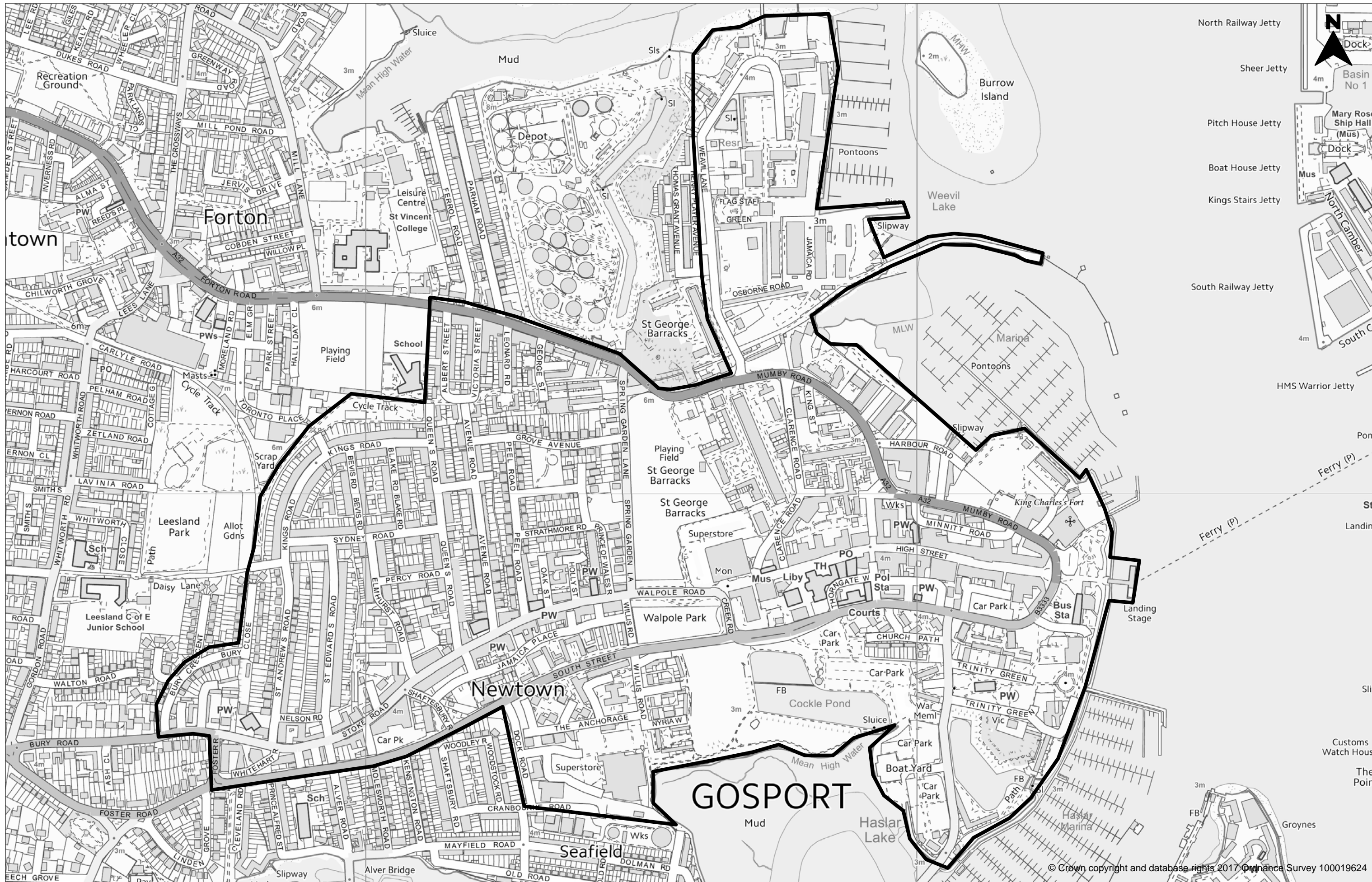
This order shall remain in force until 2020

*



GOSPORT



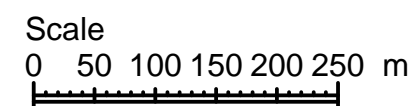


**TOWN HALL, HIGH STREET, GOSPORT,
HANTS, PO12 1EB.**



DATE : 15/08/2017

1:6200



If this map has been transmitted electronically, use the scale bar in preference to the written scale

© Crown copyright and database rights 2017 Ordnance Survey 100019624

EQUALITIES IMPACT ASSESSMENT Screening Assessment Form

Please refer to guidance notes when completing this form. Once complete, please return to Corporate Policy and Community Safety Section or phone ext 5695 for more assistance.

Name of policy ___/strategy ___/function ___ being assessed. Please ✓ what it is. Public Space Protection Order (Gosport Town Centre

1. Is this policy, strategy or function new ___✓___ or an existing ___ one? Please ✓ what it is.

A proposal to adopt a Public Space Protection Order for Gosport town centre restricting the consumption of alcohol or drugs linked to anti-social behaviour, and aggressive begging in places accessible to the public.

1a. Briefly describe the reasons for developing or reviewing this?

Eg: change in legislation or requirements, results of consultation, part of a regular review cycle, etc.

Section 59 of the Anti-social Behaviour Crime and Policing Act 2014 (the “Act”) gives the council the power to make a public space protection order (“PSPO”). A PSPO restricts activities, subject to any exemptions, in specified places open to the public in its area, which are linked to anti-social behaviour (ASB). It is a criminal offence for a person to, without reasonable excuse, to breach a PSPO restriction. A council officer authorised by the chief executive or police constable or police community support officer may enforce the PSPO (“Authorised Person”).

The council must be satisfied that the legal threshold for making a PSPO is met: i.e. the activities are having a detrimental effect on persons living in the locality, and the restrictions proposed are reasonable. The council must consult with the public, partners such as the police, and stakeholders and have regard to the responses before a PSPO is adopted.

The council and police have had a significant amount of reports since the beginning of 2017 from the public and businesses of persons engaging in aggressive begging, and anti-social behaviour linked to alcohol consumption or drug use (ASB) in places accessible by the public in the High Street, Bus Station and Falklands Gardens (the “Town Centre”).

The council proposes to adopt a PSPO limited to places accessible by the public in the Town Centre, which restricts the following:

activities:

- 1. No person shall engage in any conduct causing or likely to cause harassment, alarm or distress to any reasonable member of the public arising from alcohol consumption or drug use; or begging.*
- 2. No person shall refuse or fail to comply with a requirement by an Authorised Person to cease consumption of alcohol or drug, surrender any alcohol containers or drugs or drug paraphernalia in their possession.*
- 3. No person in breach of paras 1 or 2 above shall refuse or fail to comply with a requirement by an Authorised Person to disperse from a defined public place and not return for a period of up to 6 hours*

The council has informally canvassed the view of the Police and other partners on the proposals, whom have indicate they are broadly supportive of the measures.

The Chief Executive will this month consider a report recommending that he authorises the Council to adopt a PSPO for the Town Centre subject to consultation.

If the chief executive agrees the council will consult:

the public on the proposals by publishing a notice on its website with a link to an online questionnaire for completion, or comments to be made in writing or by email. The consultation will also be publicised on social media and the local press.

the Police, Highway Authority, and stakeholders such as Two Saints, Avalon, and CAP A notice will be sent to partners such as The consultation period will be for 6 weeks.

The community board will at its meeting on 8th November consider the Reponses to the consultation and decide whether to adopt the proposed PSPO. If adopted the PSPO could be in force on 1st January 2018.

2a. Describe the main aim or purpose of this item? Who will it benefit? Why is it needed?

Alcohol related ASB

Complaints have been made to the council and police by members of the public and businesses of persons loitering in the Restricted Area, in particular the High Street, Falklands Gardens, the Bus Station drinking alcohol. This activity in itself is perceived as upsetting and threatening by other users of public spaces. It is particularly upsetting when the activity accompanied by public disorder such as verbal abuse and other offensive behaviour.

The council made a Designated Public Places Order in 2008 (DPPO) which covers all places accessible by the public in the Borough except premises licensed for the sale or supply of alcohol. This will convert to a PSPO on 20th October 2017 and remain in force until 20th October 2020. This is enforced by the Police and has been proportionately applied during the 9 years it has been in force, significantly reducing the problem that Gosport used to have.

However the council and the police are of the view that the DPPO does not go far enough in addressing the ASB arising from street drinking in the Restricted Area.

There is no control over those persons who, even after their alcohol has been confiscated, continue to engage in ASB in the public place or acquire more alcohol and return to the public place to drink.

Aggressive Begging

There have been complaints of persons loitering in the High Street outside cash machines the ferry ticket machines asking customers withdrawing cash or buying tickets for money.

Members of the public have stated they are intimidated by this activity and feel especially vulnerable when withdrawing money or

getting cash out to by a ferry ticket.

Drug related ASB

There have been reports of persons openly using drugs in public places is Gosport Town Centre by injection.

The possession and supply of controlled drugs is a criminal offence. Criminal activity such as theft and violence is associated with these offences. The behavior of person under the influence of drugs is unpredictable, especially if mixed with alcohol and they may engage in verbal abuse or offensive behavior

Drug paraphernalia is often discarded on the ground in the Restricted Area, which is unsightly. Used needles deposited in public places are a health hazard as there is a risk of needle stick injury and transmission of blood borne pathogens such as hepatitis B virus (HBV), hepatitis C virus (HCV) and HIV associated with needle stick injuries.

In recent years the use of Psychoactive Substances (PS) legal highs has increased. They are unpredictable in their effect, but are often mixed with hard drugs (heroin, cocaine, etc.) or alcohol. Intoxicated persons can become very aggressive, or very passive and vulnerable. Despite legislation to criminalise supply of PS's in April this year, consumption remains legal.

The persons who engage in the ASB are often themselves vulnerable through being street homeless or have alcohol or drug addictions or mental health issues. The council's focus is on working with the agencies to assist persons accessing temporary accommodation and addressing underlying issues which may be a barrier in them finding more settled accommodation. Sadly there are some who do not wish to engage in this process and continue to cause ASB.

In these situations the council requires effective enforcement measures to curb the ASB so members of the public can freely access the public places without fear. Existing measures such as the criminal law, criminal behaviour orders and injunctions are aimed at individuals rather than groups but are of limited effect as they do not deal with the ASB on the spot.

3a. The Public Sector Equality Duty is part of the Equality Act 2010. The Duty requires the Council to have due regard to the following three aims:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equal opportunities between people from different groups
- foster good relations between people from different groups.

Having due regard means considering how this policy, strategy or function has or will advance equal opportunities for each of the protected groups below.

There is no blanket restriction proposed on the consumption of alcohol, or use of PS, or begging

The Council is not targeting rough sleepers. Rough sleeping is not in itself anti-social. The Council has the power under the common law to take action where it is necessary and proportionate to recover possession of land or premises in its ownership which is subject to an unauthorised encampment,

It does not follow that the Council will always prosecute a person for contravening a restriction or prohibition of a PSPO. The Council must have regard to its generic enforcement policy in deciding whether it's in the public interest to prosecute. The age and circumstances of the offender and whether there are any mitigating or aggravating features are relevant considerations in assessing the public interest. The Council may decide to offer a person an Acceptable Behaviour Contract with positive conditions to engage in support. Alternatively it may issue a fixed penalty notice for the offence, which if paid in full within the prescribed period has the effect of discharging that person's liability to criminal proceedings. It may also decide to issue a person with a formal caution for the offence.

3b Identify how this item demonstrates due regard to the three aims above for each of the protected groups below.

(For marriage and civil partnership, legislation requires you only need to demonstrate how you would eliminate unlawful discrimination, harassment and victimisation)

Protected	This item demonstrates due regard	Describe any negative	List data sources/ evidence
-----------	-----------------------------------	-----------------------	-----------------------------

characteristic	by: Describe how it furthers equal opportunities. You can cite examples of any disadvantage this item removes or minimises, how it meets the specific needs of any groups, how it encourages participation, promotes understanding or integration between groups	impact or potentially negative impact of this item for any group. For any negative impact identified, describe actions already taken to address it. Any planned actions must be identified in section 4.	used to assess impact and whether this item furthers the aims of the Equality Duty. Insert links to data used where possible
Age	Current age restrictions apply against individuals obtaining a Pedlars Certificate and/or purchasing alcohol	Control of underage drinking maybe improved by this PSPO and it may therefore have a disproportionate affect upon younger persons	Equality monitoring questions will be included in the PSPO consultation survey to help us understand the potential impact on different protected characteristics, including age. disability, those who have transitioned or are transitioning from one gender to another, birth, their marriage or civil partnership status, pregnancy or maternity status, their race, their religion or belief, their sex or sexual orientation. Results to these questions will be analysed for any disproportionate impacts on any protected characteristics. Other consultation mechanism will be used to encourage
Disability	A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.	The PSPO will not have any disproportionate impacts on this group; however, there may be a positive impact where obstruction of the highway and shop entrances is prevented.	
Gender reassignment	Anyone who is transitioning from one gender to another is protected with the same right as those not transitioning.	The PSPO will not have any disproportionate impacts on anyone who has transitioned or is in the process of transitioning from one gender to another.	
Marriage and Civil Partnership	Marriage or civil partnership status will not affect rights or protections under the PSPO	The PSPO will not have any disproportionate impacts on anyone due to their marriage	

		or civil partnership status.	responses from all sections of the community.
Pregnancy and Maternity	Pregnancy is the condition of expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes discrimination while breastfeeding.	The PSPO will not have any disproportionate impacts on any pregnant woman or one who has given birth.	
Race (ethnic or national origin, colour, nationality)	This refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.	The PSPO will not have any disproportionate impacts on any person or group due to their race.	
Religion or Belief (and lack of belief)	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief can affect life choices or lifestyles.	The PSPO will not have any disproportionate impacts on any person or group due to their religion or beliefs.	
Sex	Male or female	The PSPO will not have any disproportionate impacts on any person due to their sex.	
Sexual Orientation	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes, they have the same rights and protections.	The PSPO will not have any disproportionate impact on any person or group due to their sexual orientation	
3c. Are there any other groups in addition to those above which could be impacted (e.g. socially or financially excluded) by this item?			

Rough sleepers Persons with drug and or alcohol addictions Please ✓ ___yes ___no			

Group	This item demonstrates due regard by:	Describe any negative impact or potentially negative impact of this item for any group	List data sources/ evidence used to assess impact and whether this item furthers the aims of the Equality Duty
Rough Sleepers	Rough sleeping is not in itself anti-social. There is no blanket restriction proposed on the consumption of alcohol or PS or begging if it does not impact on the public right to enjoy the public space.	Rough sleepers who do engage in ASB would be impacted, but local support services are offered and enforcement is a last resort when a person does not engage.	There is a housing outreach service which is proactive in engaging with rough-sleepers and other local organisations and services which offer assistance
People with drug and or alcohol addictions	The council and other agencies will offer support to those experiencing addiction issues.	Perpetrators of ASB would be impacted by the PSPO. Enforcement is last a resort where the person does not engage with support offered.	The Partnership Action Group can discuss various options to address ASB issues and offer coordinated support to perpetrators impacted

			by the PSPO.

4. Please Identify any further actions you will take resulting from this assessment.

Action	Officer Responsible	Completion date
Coordinate 6 week public consultation on proposed PSPO using a variety of consultation mechanism, analyse responses, including voluntary equality monitoring questions, to determine its potential impacts on protected characteristics as well as any other groups of people.	Julie Petty and Sorrell Wakefield	End October 2017
Complete the FULL EIA and include in it the consultation findings and how any identified potential discrimination will be mitigated. Attach the screening and full EIA to the Board report for a decision on the PSPO	Jamie Paterson/ Sorrell Wakefield	End October 2017

5. Do you have any additional comments? If so, please add.

NONE

6. Date of screening 10.08.17	Officer(s) completing assessment Jamie P	Section Date Approved
7. Name of Section Head Michael Lawther	Date review completed.	
8. Date submitted to E & D Lead 10-0-17	Date review completed 29-08-17	

EDSG Recommendation:

✓ This assessment form is incomplete and requires additional information for its review by the E & D lead officer: Please consult as described and include survey findings and analysis of equality monitoring questions to better assess for any potential discrimination caused by the proposed PSPO complete a full EIA.

This assessment has been successfully reviewed with the following outcome:

- ☐ **No major change** – The assessment of this policy/strategy/function shows no potential for discrimination and the aims of the Equality Duty has been met.
- ☐ **Adjust the policy/strategy or function** – This item will meet the aims of the Equality Duty if actions identified in Sections 3 and 4 to remove barriers or to better advance equality are implemented.
- ✓ **Consult on the policy/strategy/function** – There is some potential for adverse impact or missed opportunities to promote equality. Ensure effective consultation and equality monitoring is in place to assess the actual impact on different groups before any decision to implement.
- ☐ **Stop and Rethink** – Adverse equality impacts have been identified/ may not be justified and have not been sufficiently mitigated. Unlawful discrimination could be taking place. Do not adopt or continue until a full equality investigation has been completed.

EQUALITIES IMPACT ASSESSMENT
Full Assessment Form

Part 1 – Main Details		Date Submitted 9/10/17
Full Title of item being assessed (Same as Screening Form)		Public Space Protection Order (Gosport Town Centre)
Name and Contact Details: Jamie Paterson Senior Solicitor		
Part 2 - Assessment		
Consider the evidence and information sources provided in the Question 3 of the Screening Form on the possible adverse impact on any of the protected groups and answer the following questions. Please list additional research or evidence found and the key findings which support this assessment of the equality impact on any protected characteristic.		
New Research/ Evidence and Source	Key Findings	
Other authorities experience of PSPOs and its enforcement	There are alternatives to a fixed penalty notice and prosecution for the offence. Acceptable behaviour contracts can be issued when a person agrees to seek help with underlying issues driving the anti-social behaviour such as housing, addiction and mental health	
Support available to persons engaging in ASB who have underlying Issues such as health, addiction and housing	Even if the council were to adopt a PSPO the focus must remain on support and intervention and enforcement targeted against the minority who unreasonably fail to engage with the support offered.	
2b. <u>Direct Consultation:</u>		
Have you consulted directly with any group(s) representing any of the protected characteristics in the assessment of this item? If yes, please complete the information below. If no, please explain why no direct consultation has taken place. A public survey on views about the PSPO was open for a six week period and 341 people took part. Most responded on the online survey and those who completed a paper copy had their responses added to the		

online survey results. Voluntary equality monitoring questions covering the following protected characteristics were included with the survey. Not all respondents answered all monitoring questions.			
Target Group	Consulted Group	Date and Consultation Method	Key Findings and Any Actions Resulting (If no consultation undertaken, explain why not)
Age	293 respondents- 16-24: 10 25-34: 25 35-44: 38 45-54: 72 55-64: 74 65-74: 66 75-84: 7 85 or over: 1	Online anonymous Survey August 2017 – 6 th October – respondents asked to complete equal opp monitoring form –	All ages of vulnerability will be referred into safeguarding mechanisms using each agency's safeguarding processes. The monthly Partnership Action Group will discuss and provide support and single points of contact to anyone deemed to be vulnerable.
Disability	Not captured on the survey	As above	Mental health considerations and any other disability considerations will be taken into account by enforcement officers when assessing individual cases.
Gender reassignment	289 respondents, all whose gender is the same as that at birth	As above	No impact identified
Marriage and Civil Partnership	Not captured on the survey	As above	No impact identified
Pregnancy and Maternity	Not captured	As above	Pregnant women will be referred into safeguarding mechanisms to Hampshire County Council to have an initial assessment and then offer of support.
Race	295 Respondents 259 White British	As above	No impact identified

	23 Prefer not to say 1 White Irish 2-Other White 2 Mixed White and Black African 1 Mixed White and Black Caribbean 1 Mixed other 1 Asian or Asian Indian 6- Other		
Religion and Belief	293 responses 122 : no religion 140 : Christian 1 : Hindu 5 : other religion 24 : prefer not to say	As above	No impact identified
Sex	288 respondents : 114 male, 174 female		
Sexual Orientation	290 responses 253 : heterosexual 2 : lesbian#4 :bisexual 2 gay man 29 prefer not to say	As above	No impact identified
2.c. Planned Consultation: Please describe any planned consultation that you will undertake to assess the impact of this policy, strategy or function on any protected characteristic. A consultation has been undertaken to obtain the views of partners, stakeholders and the public			
Target Group	When will it take place?	Purpose of Consultation	
Police, Hampshire Highways	It has taken place	To seek their views on proposals and	

		review whether to recommend the draft PSPO for approval.	
Housing associations	As above	As above	
Taxi operators	As above	As above	
Businesses and service provider	As above	As above	
Welfare organisations	As above	As above	
People who live, in, work in or visit Gosport	As above	As above	
<p>2d. Have you identified any other possible “barrier” or adverse impact affecting any group which cannot be avoided? Please ✓ Yes____ No____ If yes, please provide details of how your item will deal with this.</p>			
Part 3 - Monitoring			
Consider the main aims of the policy, strategy or function being assessed. Are there any intended outcomes of this item in relation to the protected characteristics and any other group that could be adversely affected? Yes			
3a. What monitoring arrangements have you put in place to regularly monitor the impact of this policy, strategy or function on different characteristics? (Monitoring can include satisfaction surveys, ways to monitor service take up or use by certain groups, formal and informal complaints, etc). Please refer to the Equality Monitoring Framework found on the Equality & Diversity Infonet pages for guidance on the Council’s corporate standard for using equality monitoring questions.			
Target Group	Monitoring Method	By Whom	Frequency
Persons with underlying issues such as housing, poverty, s and addictions	Meeting of the partnership action group and rough sleepers working group	Council, police and other agencies that attend	Monthly
Review of PSPO	Fresh consultation exercise	Council, police and other agencies	Every 3 years
Part 4 – Communicating to Customers			

4a. How have you communicated the development of or proposed changes to this policy, strategy or function to stakeholders? (e.g. Coastline, Staff Information Bulletin, leaflets, website, etc.) Please provide details.		
Name of Group	Communication Method	When
Public and stakeholders	Website notice, newspaper notice, social media	August / September 2017
Part 5 - Training		
5a. Have you identified any training needs for staff in order to successfully implement this item? Please ✓ Yes_v____ No_____		
5b. If yes, please list any training required, how and when you plan to achieve this. If training has already occurred, please list. Training will be provided to Enforcement Officers before the PSPO comes into force.		
Staff Group	Training Needed	By When
Enforcement officers	Enforcement strategy – support and assistance	Before PSPO comes into force.
Part 6 – Additional Comments		
6a. Do you have any additional comments to make in support of this assessment? If yes, please explain. No		
7. Date 9-10-17	Lead Officer(s) responsible for this assessment Jamie Paterson	Contact Number(s):
8. Name of Section Head:		Date Approved by Section Head:
Date submitted to Equality & Diversity Lead 9-10-17		Review completed by E & D lead: 9-10-17
EDSG Recommendation(s): <input type="checkbox"/> Re-Submit --This full assessment form is incomplete and requires further information as listed in order to assess this item. 		

- ✓ **Adopt/Implement**--This full assessment has been successfully completed and been assessed. The policy, strategy or function can proceed toward formal adoption, if required, or to implementation. **Note: no specific negative impacts of this proposal on any protected characteristics were identified from the answers to the survey questions and the responses to the equality monitoring questions, though a standard monitoring question about disability should have been included. Individuals in breach of the PSPO should have their specific vulnerabilities considered and assessed and positive interventions offered before enforcement measures are taken in order to ensure no discrimination is taking place.**
- ☐ **Do not proceed** --This full assessment has identified adverse impacts on _____ which Have not been sufficiently minimised, and / or unlawful discrimination has or can be taking place. This policy, Strategy or function should not be adopted or continue until further actions are taken.