

Shropshire Council Equality and Social Inclusion Impact Assessment (ESIIA)
Part One Screening Record

A. Summary Sheet on Accountability and Actions

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| Name of proposed service change |
| Proposed extension of Shrewsbury Town Centre Public Spaces Protection Order (No. 1) 2017 |

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| Name of lead officer carrying out the screening |
| Grant Tunnadine |

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| Decision, review and monitoring |
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| Decision | Yes | No |
|----------------------------------|------------|-----------|
| Part One ESIIA Only? | Yes | |
| Proceed to Part Two Full Report? | | No |

If completion of a Part One assessment is an appropriate and proportionate action at this stage, please use the boxes below and sign off as indicated. If a Part Two report is required, please move on to separate full report stage.

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| <p>Actions to mitigate negative impact or enhance positive impact of the service change in terms of equality and social inclusion considerations</p> <p>The Shrewsbury Town Centre Public Spaces Protection Order (No.1) 2017 ('the Order') has been in operation since 1 August 2017. It was determined in the original ESIIA that the implementation of the Order would be considered to have an overall 'low positive impact' for the community and for Protected Characteristic groupings. It is anticipated that the impact for the community and for Protected Characteristic groupings, as a result of the proposed extension to the Order, will remain 'low positive'.</p> <p>The requirement to extend the Order is a requirement within the Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act'), which specifies that an Order cannot last for more than three years unless it is extended by the Council. The Act is intended to benefit the community as a whole by providing a number of mechanisms to address anti-social behaviour (ASB) and to assist communities to find solutions to resolve issues quickly and efficiently. The proposed extension to the Order is one such mechanism and it will be of benefit to the community as a whole, as well as the Protected Characteristic groupings in general.</p> <p>The Order, along with other initiatives, now form part of the toolkit available to the Police and the Council to tackle ASB challenges within Shrewsbury town centre and not extending the Order will remove a mechanism that has successfully addressed individual incidents of ASB in the town centre; this clearly benefits the majority of the community.</p> <p>The Order is intended to tackle low level ASB where the behaviour is having, or likely to have, a detrimental effect on the quality of life of those in the locality; be persistent or continuing in nature; and be unreasonable. The way that the Order has been used and will continue to be</p> |
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used is as a mechanism to stop lower level ASB without necessarily resorting to criminal action. Where further action is necessary then this will be undertaken in accordance with the Council's Better Regulation and Enforcement Policy which enables the Council to also consider other sanctions including warnings and simple cautions as opposed to resorting straight to fixed penalties or legal proceedings.

An action to mitigate any perceived negative impact of the measures on vulnerable people, including rough sleepers, will be to advise and reinforce the message, both directly and through groups like 'Team Shrewsbury', that the Order is not a mechanism that sets out to punish poverty related issues; it is designed to punish unacceptable behaviours caused by individuals acting inappropriately, irrespective of status or wealth, and applies equally to a wide range of ASB commonly associated with the evening and night time economy and caused by a variety of groups of people.

There are many measures in place to help vulnerable people who are homeless and rough sleeping. This includes support from a variety of agencies including the Council, Shrewsbury Ark, Shropshire Recovery Partnership, Police and the medical profession, many of whom are represented on 'Team Shrewsbury'. Further, the Council and 'Team Shrewsbury' supports and promotes the Alternative Giving Scheme which operates within the town centre. This allows people to provide donations which are specifically used to assist homeless people.

Due to the impact of COVID-19 and the reduced variety of consultation approaches that were used, social media will be used to further publicise the extension of the Order and full details will be available on the Council's website for the duration of the period the Order remains in force. Businesses will be reminded through the Shrewsbury Business Improvement District ('the Shrewsbury BID') that they can provide feedback at any time to 'Team Shrewsbury' and/or direct to the Council.

Actions to review and monitor the impact of the service change in terms of equality and social inclusion considerations

The use of the Order continues to be strongly supported by West Mercia Police and relevant Police personnel will continue to promote the benefits of using the Order to those officers responsible for policing Shrewsbury town centre. The Shrewsbury BID remains committed and involved in the collation and sharing of data from the business community with 'Team Shrewsbury' to help capture intelligence and monitor impact. This multi-agency approach is key to addressing anti-social behaviour in the town centre as it is recognised that such behaviour will continue to be a significant challenge. The extended Order will be one part of a wider co-ordinated response to deal with the root causes of anti-social behaviour in Shrewsbury town centre.

Evidence of the issues affecting the town centre will continue to be gathered by the Police, Shrewsbury BID and the range of 'Team Shrewsbury' partners. This will be used to inform 'Team Shrewsbury' of the issues being experienced within the restricted area. The 'Team Shrewsbury' data is collated by Shrewsbury Town Council and, together with Council data reflecting the extent to which the Order has been used, is presented at each 'Team Shrewsbury' meeting. Representatives are able to review the data, raise issues and suggest actions for consideration that would benefit the community and the Protected Characteristic groupings.

The Order will only remain valid until 31 July 2023, after which time it must be reviewed

before it can be extended further. Also, if necessary, the Order can be amended, at any time within the period for which it is in force, to remove specific elements where the evidence demonstrates that the prohibitions/requirements have been sufficiently effective or indeed to include new prohibitions/requirements to tackle emerging problems. 'Team Shrewsbury', through the monitoring of the data collated and the data relating to the Order's use, are able to address whether any variations or extending the Order is considered appropriate. Extending or varying the order will need to be undertaken in accordance with legislative requirements and be undertaken by the Council having demonstrated the evidential need and having undertaken the appropriate consultation.

The Trading Standards and Licensing Service will continue to work with the Police where enforcement is required and will monitor any offences reported by the Police. Shropshire Council is the only Authority able to prosecute a case in the Court where a breach of the Order is identified. Any such case will be assessed in line with the Council Better Regulation and Enforcement Policy which can be found on the Shropshire Council website at: <https://www.shropshire.gov.uk/media/892162/Better-regulation-and-enforcementPolicy-Aug-13.pdf>. This will ensure that any enforcement action undertaken in respect of the Order is consistent and in line with that of any other enforcement process undertaken by the Council.

Under the Act, an appeal to the High Court, by anyone who lives in, or regularly works in or visits the restricted area, could have been lodged in respect of the validity of the Order for a period of up to six weeks after the Order was brought into effect in 2017; no such challenge was received. Furthermore, in the three years the Order has been operating there have been no complaints or representations received by the Council in relation to the implementation or use of the Order. An appeal cannot be lodged when an Order is simply extended, which is the proposal in this case; however, if the extension was considered unreasonable or flawed, it can always be the subject of a Judicial Review.

Going forward, the Trading Standards and Licensing Service will consider and address any complaint or representation made to the Council in respect of the operation of the extended Order. This will also include any feedback from local members covering the geographical area for the Order along with the Portfolio holder, local MP and the Police and Crime Commissioner. It is anticipated that they will, therefore, be able to help to feedback on the effectiveness and continued need or otherwise of the Order, along with ongoing liaison with Shrewsbury Town Council, local businesses and residents. This will help us to consider the ongoing impact on the local community as these are key engagement channels for the community alongside direct feedback to the service area.

Associated ESIIAs

Associated ESIIAs that demonstrate the timeline and ongoing approaches to continuous engagement with Protected Characteristic groupings in relation to the implementation and use of the Shrewsbury town centre PSPO are:

- Proposed Consultation on a Public Spaces Protection Order for Shrewsbury Town Centre (November 2016), considered by Cabinet on 21 December 2016.
<http://shropshire.gov.uk/committee-services/ieListDocuments.aspx?CId=130&MId=3260&Ver=4>
- Proposed Public Spaces Protection Order for Shrewsbury Town Centre (May 2017), considered by Cabinet on 21 June 2017.

<https://shropshire.gov.uk/committee-services/ieListDocuments.aspx?CId=130&MId=3417&Ver=4>

A related ESIIA that demonstrates the proposed extension to the PSPO fits into the policy approach of the Licensing Service is:

- Licensing Act 2003 Statement of Licensing Policy 2019 – 2024 and associated 'Premises Licence Applications – Completing the Operating Schedule and Plan of the Premises Guidance' (October/November 2018), considered by Council on 13 December 2018.
<http://shropshire.gov.uk/committee-services/ieListDocuments.aspx?CId=125&MId=3757&Ver=4>

Actions to mitigate negative impact, enhance positive impact, and review and monitor overall impacts in terms of any other considerations. This includes climate change and health and well-being considerations.

Cabinet gave recent approval to the use of health impact assessments. This proposal provides an early opportunity for utilising guidance that has been developed for use in this regard, and for seeking to optimise linkages with the equality impact assessment approach.

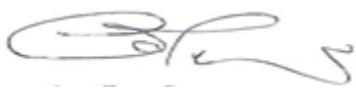
The proposal is anticipated to have a positive direct impact for the physical health, mental health and wellbeing of those who are currently sleeping rough, when they are assisted to find accommodation.

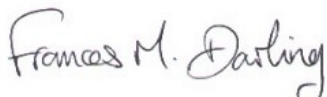

The proposal is anticipated to have a positive impact on social, economic and environmental living conditions that indirectly affect health, given that it relates to the built and green environment of Shrewsbury town centre.

Shrewsbury town centre businesses and the Shrewsbury BID are represented on 'Team Shrewsbury' and are encouraged to report examples of ASB to 'Team Shrewsbury' to better inform the impact of the ASB on businesses' abilities to trade successfully, including any adverse impacts on their customers that may inhibit economic growth and prosperity.

To help members of the public to more easily understand the overall strategic direction of the Council, the Council's Corporate Plan is a helpful guide to the Council's corporate approach towards prioritising and measuring overall economic, environment and community outcomes. The Plan can be found on the Council's website at <https://www.shropshire.gov.uk/shropshire-council/corporate-plan/>.

Scrutiny at Part One screening stage

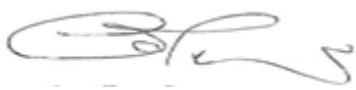
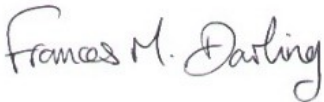
| People involved | Signatures | Date |
|--|---|-------------|
| <i>Lead officer carrying out the screening</i> Grant Tunnadine |  | 3 June 2020 |

| | | |
|---|---|---------------------------|
| Any internal support* Frances Darling |  | 2 June 2020 |
| Any external support** Lois Dale |  | 3 rd June 2020 |

*This refers to other officers within the service area

**This refers either to support external to the service but within the Council, eg from the Rurality and Equalities Specialist, or support external to the Council, eg from a peer authority

Sign off at Part One screening stage

| Name | Signatures | Date |
|---|---|-------------|
| Lead officer's name Grant Tunnadine |  | 3 June 2020 |
| Accountable officer's name* Frances Darling |  | 2 June 2020 |

*This may either be the Head of Service or the lead officer

B. Detailed Screening Assessment

| Aims of the service change and description |
|---|
| <p>The Shrewsbury Town Centre Public Spaces Protection Order (No.1) 2017 ('the Order') was implemented in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act') to help target anti-social behaviours (ASB) that were having a detrimental impact on the lives of individuals and businesses within the Shrewsbury town centre community.</p> <p>The Order was introduced to help improve the commercial nature of the town (including the evening and night time economy and visitor experience), whilst ensuring that public spaces are enjoyed by the majority and not spoiled by the actions of the minority; this remains the core purpose of the Order.</p> <p>The Order can only remain in force for a maximum of three years after which time the Council must consider whether or not to extend the Order. The proposal is to now seek that extension on the basis that we are satisfied, on reasonable grounds, that doing so is necessary to prevent an occurrence or recurrence of the ASB identified in the Order and/or an increase in the frequency or seriousness of the ASB, after the date the Order would ordinarily cease to have effect, i.e. after 31 July 2020. In seeking the extension, there are no proposed changes to be made to the Order itself or to the behaviours the Order is seeking to address. The provisions of the Order will remain the same and will simply be extended from 1 August 2020 for a period of up to three years.</p> <p>Tackling ASB was and remains a Shropshire Council priority and is often linked with other core council services around social care, vulnerable adults, safeguarding, hate crime, highways and public health. The extension, as with the implementation of the Order, is seen</p> |

as a measure to continue to help reduce ASB and to assist the Council to achieve its corporate aims in relation to this community issue.

The intention behind the Order continues to provide a mechanism to allow the Police and authorised officers of the Council to address behaviours that are causing concern. The Order does not target any particular group in the community and, in particular, does not target those that may be considered vulnerable or in need of help. The extension of the Order does not alter this position; the focus remains on targeting individuals whose behaviour is causing or likely to cause nuisance, alarm, harassment or distress to others in the community.

In extending the Order, the original prohibitions will remain unaltered:

- a) No person shall urinate or defecate in a public area not being a facility intended for such use.
- b) No person shall, for any duration of time, leave unattended in a public area any personal effects or belongings or any other material or paraphernalia including anything that may be considered discarded or waste material.
- c) No person shall refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by an authorised officer, provided that the officer has reason to believe that that person is causing or is likely to cause nuisance, alarm, harassment or distress to any other person.
- d) No person shall refuse to disperse from a public area and not to return to that public area for 48 hours when required to do so by an authorised officer, provided that the officer has reason to believe that that person is causing or likely to cause nuisance, alarm, harassment or distress to any other person.

Only two behaviours are actually being criminalised outright (see (a) and (b) above) with the other two prohibitions simply providing an ability for authorities to respond effectively to concerns by stopping unacceptable individual behaviour and where necessary to remove the cause. Only where a reasonable request from an authorised officer is refused would that individual commit a criminal offence under the Order (see (c) and (d) above).

The Order does not stop any activity, where that activity is being undertaken in an appropriate manner and does not criminalise specific activities (although some activities may already be a criminal act by virtue of other legislation) other than urinating and defecating and leaving belongings in a public place for which there are strong arguments to prohibit outright.

The Order was originally implemented to assist the Police and the Council to engage with individuals or groups who are committing anti-social behaviour in a public space where the behaviour is having, or likely to have, a detrimental effect on the quality of life of those in the locality; be persistent or continuing in nature; and be unreasonable. In accordance with the Council's Better Regulation and Enforcement Policy, the Order has primarily been used to effectively resolve anti-social behaviour issues by modifying or changing the behaviour of individuals using the lowest level of enforcement intervention, rather than seeking to criminalise those acting inappropriately. Extending the Order will provide for this approach to carry on and it will provide a practical tool that the Police and the Council can continue to use to help address ASB in Shrewsbury town centre as part of a partnership approach through the multi-agency group known as 'Team Shrewsbury'.

Whilst the Council is responsible for making, varying and extending PSPOs, they must do so in consultation with the Police, the Police and Crime Commissioner and other relevant

community representatives and land owners who may be affected. A PSPO can be created to cover any public space within the Council's administrative boundary and this will include 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. The area covered by a PSPO is referred to as the 'restricted area'.

The restricted area in the Order covers the Shrewsbury town centre area within the river loop and a part of Mountfields, which includes Frankwell car park and the adjacent playing fields. A detailed map of the restricted area forms part of the Order and the proposed extension to the Order does not change the restricted area in any way.

Having established the Order, appropriate signs are already installed and displayed on entry points to the restricted area and within the said area in accordance with the requirements of the Act and regulations made thereunder. Further, the Order has been available to view on the Council's website since its implementation on 1 August 2017.

Enforcement of the Order can be undertaken by both the Police and authorised Council officers. However, when the Order was originally implemented, a Memorandum of Understanding was signed between the Council and the Police to agree that the main responsibility and resource for enforcement would rest with the Police. This will continue, and the MoU has been refreshed in anticipation of the extension being agreed.

A breach of a PSPO can be dealt with through the issuing of a Fixed Penalty Notice (FPN) of up to £100, or a level 3 fine (max £1000) on prosecution. Prior to the Order coming into effect in 2017, Cabinet set the FPN level at £75, reduced to £50 if paid within 10 days. There are no proposals to amend the financial level of the FPN if the Order is extended.

Where a FPN is not considered appropriate or where a FPN is not paid then consideration is given to the commencement of legal proceedings. Only the Council may bring proceedings for a breach of the Order; the Police (Crown Prosecution Service) cannot do so even where enforcement is undertaken by police officers. Ultimately, the Council considers any such breaches and, where appropriate, having taken into account the Council's Better Regulation and Enforcement Policy, pursue matters through the Courts. Any costs associated with legal proceedings, which are not recovered, are borne by the Council.

Intended audiences and target groups for the service change

The intended audiences and target groups are considered to be:

- Residents of Shrewsbury town centre
- Visitors to Shrewsbury town centre
- Students who access the town centre to study and/or reside
- Local businesses operating within Shrewsbury town centre
- Shrewsbury Town Council
- Shropshire Council (Environmental Maintenance, Public Health, Housing Options, Highways, Safeguarding, Social Care)
- Chief Inspector of West Mercia Police
- West Mercia Police and Crime Commissioner
- Shrewsbury MP
- Shrewsbury BID

- Shrewsbury Colleges Group
- Shrewsbury Town Centre Residents Association
- The Ark (Outreach Service)
- Team Shrewsbury
- Street Pastors
- Accommodation providers (Shropshire Housing Alliance, Parish Rooms)
- Shropshire Fire and Rescue Service.
- Shropshire Tourism (Original Shrewsbury)
- The Marches Local Enterprise Partnership
- Fairness, Respect Equality Shropshire (FRESH)
- Shropshire Community Health Trust
- South Staffs and Shropshire Healthcare NHS Foundation Trust
- The Shrewsbury and Telford Hospital NHS Trust
- Shropshire Clinical Commissioning Group (CCG)
- Voluntary Groups (see consultation section for further details)

This above list is not intended to be exhaustive or in order of priority.

Evidence used for screening of the service change

An interim review of the Order was undertaken one year after its implementation and a report presented to Cabinet on 25 July 2018 for consideration. The report is available on the Council's website at the link below. No issues were raised as a result of this review and Cabinet resolved that the Order remain in effect.

<http://shropshire.gov.uk/committee-services/ieListDocuments.aspx?CId=130&MId=3677&Ver=4>

Risk assessment and monitoring of the way in which the Order has been enforced has provided reassurance that the legal and financial risks to the Council associated with enforcing the Order have been extremely low, and whilst there is always a risk with any form of enforcement activity, the evidence strongly indicates that these risks will continue to be low and will be financially managed within existing service delivery budgets. Since the Order was implemented, five cases have been the subject of legal proceedings, following non-payment of FPNs, and these costs have been borne by the Council within existing service budgets.

No complaints or representations have been received by the Council in relation to the implementation or use of the Order whilst it has been in operation since 1 August 2017.

Evaluation report relating to ASB incidents recorded by 'Team Shrewsbury' (including Police data) covering the period from 1 March 2017 to 29 February 2020

Enforcement actions taken under the Order for the period 1 August 2017 to 29 February 2020.

The full evaluation report and details of the enforcement actions referred to above, which were provided as part of the consultation package, can be found at <https://shropshire.gov.uk/get-involved/extension-to-the-shrewsbury-town-centre-public-spaces-protection-order-no-1-2017/>. A summary is provided below.

Evaluation Report

Between 1 March 2017 and the 29 February 2020, there were 3,294 ASB incidents reported under 17 separate categories, with an overall increase of 32% when compared with the number reported in early 2017.

The number of recorded anti-social behaviour incidents decreased in relation to only one of the four prohibitions contained in the Order; this relates to a 7% decrease with respect to leaving personal belongings, including anything that may be considered discarded or waste material, in a public place.

However, when considering the number of recorded incidents relating to personal belongings being left, in isolation from the additional categories associated with discarded or waste materials, then these reported incidents have also increased by 29%.

The remaining three prohibitions, namely those relating to urinating/defecating, being required to leave the town centre area and drinking alcohol saw reported incidents increase by 145%, 32% and 10%, respectively.

The **top five** reported incident types were drug litter, drug misuse, alcohol related behaviour, damage/arson and alcohol litter.

The incident types that have seen the most significant **decreases** in reporting related to aggressive begging, alcohol litter and dog control; the greatest **increases** were seen in respect of nuisance busking, urinating/defecating and graffiti.

Incident types – decrease in recorded incidents

| Incident Type | Total reported (01.03.17 – 29.02.20) | 3 year % change (decrease) |
|-----------------------|---|-------------------------------|
| Alcohol litter | 268 | 43% |
| Aggressive begging | 11 | 86% |
| Begging | 113 | 35% |
| Dog control | 40 | 38% |
| Fly tipping/Littering | 220 | 1% |
| Suspicious behaviour | 104 | 18% |

Incident types – increase in recorded incidents

| Incident Type | Total reported (01.03.17 – 29.02.20) | 3 year % change (increase) |
|---------------------------|---|-------------------------------|
| Alcohol related behaviour | 319 | 73% |
| Nuisance busking | 23 | 200% |
| Congregation | 191 | 62% |
| Damage/arson | 271 | 78% |
| Dog fouling | 20 | 67% |
| Drug litter | 790 | 1% |
| Drug misuse | 389 | 116% |
| Drug dealing | 72 | 69% |
| Urinating/defecating | 228 | 145% |

| | | |
|--------------------|-----|------|
| Personal item left | 176 | 29% |
| Graffiti | 50 | 123% |

Summary of enforcement action

Over the first 31 months that the Order was in force, the reported enforcement statistics indicate that the Police and/or Authorised Council Officers took enforcement action in relation to 247 incidents to address breaches of all four prohibitions set out in the Order. Follow up action occurred on 64 occasions, which included Police and Council issued warnings, the issue of fixed penalty notices and the successful institution of legal proceedings. In adopting this approach, the Police and the Council have made best use of their resources to deal with lower level anti-social behaviour.

Consultation feedback

The consultation has enabled the Council to engage with statutory consultees and the wider community. It has helped to gauge whether the Order has continued to prohibit the types of anti-social behaviours creating the greatest detrimental impact and to gain an understanding of the level of appetite and concerns about extending the Order for a further three years.

The overall feedback to the consultation has been low with eight responses received. This is not necessarily a negative position as it may be considered that the community at large are content with the Order and the Council 'got it right' when the Order was originally implemented in 2017. Equally, however, it does need to be acknowledged that COVID-19 led to limitations around the methods of consultation utilised and this may have impacted the level of response. Nevertheless, five of the responses were received from key stakeholders, these being West Mercia Police, Shrewsbury Town Council, Shrewsbury BID, Shropshire Fire and Rescue Service and Shrewsbury Colleges Group, as well as three members of the public.

Given the overall increase in reported anti-social behaviour incidents, it is perhaps not surprising that there was unanimous support for the Order to be extended, in particular, with the Police stating it is '*an effective tool to manage the Anti-Social Behaviour committed within the restricted area*'. However, there was one significant proviso highlighted by a member of the public that the Order should only be extended if there is a co-ordinated response in place to deal with the root causes of anti-social behaviour. Equally, it is not unreasonable to conclude that the Order ought not to be extended on the basis that it has not adequately reduced anti-social behaviour in Shrewsbury town centre and, in fact, an alternative approach is required to deal with such incidents, particularly those relating to drug and alcohol use/misuse.

Nevertheless, based on the available data, it is reasonable to conclude that if the Order was not extended and, thereby, an enforcement tool that the Police and the Council can use to tackle anti-social behaviour incidents quickly and proportionately is removed, this may result in a recurrence of the behaviours that have reportedly decreased and/or a further increase in the frequency or seriousness of those behaviours where there is already an indication that increases have occurred.

It is also reasonable to acknowledge that the increase in the reported incidents will, in part, be due to improved awareness, easier reporting pathways and also as a result of enforcement actions taken under the Order. Furthermore, whilst all anti-social behaviour matters are recorded for wider intelligence and monitoring purposes to enable a properly co-ordinated response, it is not the intention that the Order addresses all behaviour categories (there are

17 in total); for example, of the top five reported incident types referred to above, four (drug litter, drug misuse, damage/arson and alcohol litter) have separate and specific legislation that enables alternative and more appropriate enforcement action to be taken by the Police and/or the Council.

Taking the available data, together with the responses from the consultation, and considering the potential detrimental consequences of not extending the Order, it is reasonable to conclude that the Order ought to be extended; there is no reason for this to be less than three years, as the extended Order can be reviewed, amended or ceased at any time within that period. Neither the data, nor the consultation feedback suggested that the Order ought to be amended to address or prohibit other specific behaviours and, as a result, it is not proposed to amend the prohibitions set out in the existing Order.

Specific consultation and engagement with intended audiences and target groups for the service change

In line with the requirements of the Act, a public consultation was undertaken between 1 April 2020 and 15 May 2020 to seek views about extending the Order. The consultation set out the details of the proposal and took the form of a generic call for comments rather than seeking answers to specific questions. A copy of the existing Order was provided, together with an evaluation report relating to ASB related incidents recorded by 'Team Shrewsbury' (including Police data) covering the period from 1 March 2017 to 29 February 2020, and a summary of the enforcement actions taken under the Order for the period 1 August 2017 to 29 February 2020.

The consultation was carried out through the Council's '*Get Involved*' web pages to seek responses from the public and in general (<https://shropshire.gov.uk/get-involved/extension-to-the-shrewsbury-town-centre-public-spaces-protection-order-no-1-2017/>). Individual emails, which included a direct link to the consultation details on the Council's website, were also sent to the statutory consultees, namely, the Chief Officer of West Mercia Police, the local policing body, being the West Mercia Police and Crime Commissioner, community representatives that the Council thought appropriate to consult, and the owner or occupier of land within the Shrewsbury town centre area. The list of contacts that received a direct email are set out below:

- Bishop of Shrewsbury
- British Transport Police
- Churches Together in Shrewsbury
- FRESH
- Marches LEP
- Morris and Company
- Shrewsbury Ark
- Shrewsbury BID
- Shrewsbury Colleges Group
- Shrewsbury School
- Shrewsbury Street Pastors
- Shrewsbury Town Centre Residents Association
- Shrewsbury Town Council
- Shropshire Community Health NHS Trust

- Shropshire CCG
- Shropshire Fire and Rescue Service
- Shropshire Tourism
- South Staffs and Shropshire Healthcare NHS Foundation Trust
- The Churches Conservation Trust
- University Centre Shrewsbury
- West Mercia Police
- West Mercia Police and Crime Commissioner

The Voluntary and Community Sector Assembly (VCSA), through their newsletter also notified the following voluntary groups and organisations of the consultation:

- 1st Much Wenlock Brownies
- A4U Action Advice Advocacy
- A4U Action Advice Advocacy
- ABBEY FOREGATE (SURC) DRAMA GROUP
- Active Carers Group
- Advisory Teacher for Gypsy, Roma and Traveller Children, Education Access Service
- Age UK Shropshire Telford & Wrekin
- Albrighton Relief in Need Charity
- Alzheimers Society
- Amputee Support Group
- April Cottage, Cound Moor
- Arty Party Limited
- Asset Management Social Enterprise CIC
- Autism West Midlands - Shropshire
- Autonomy and Autonomy Plus
- Axis Counselling
- Barnabas Community Projects
- Barnabas Community Projects Foodbank PLUS
- Barnardos Shropshire and Staffordshire
- Barnardo's Shropshire and Staffordshire
- Baschurch Village Hall Trust
- Beanstalk
- Beechtree Community Centre
- Belle Vue Youth Club
- Bethphage
- Bishop's Castle Community Partnership
- Bishop's Castle and District Community Land Trust
- Bishops Castle Dial A Ride
- Bishop's Castle Heritage Resource Centre
- Bishop's Castle Library
- Bishops Castle Town Hall
- Bridgnorth Community Transport Group
- Bridgnorth Housing Trust
- Bridgnorth Northgate Patients Participation Group
- Bridgnorth Patients Participation Group
- British Gymnastics Foundation
- British Red Cross

- Bucknell & Bedstone Good Neighbours
- C.O.S.T. Consortium of Shropshire Tenants
- Cardington Broadplace/Cardington Village Hall & A4U
- Carers Trust 4 All
- Caring for God's Acre
- CCS
- CEDAR CIC
- Chairs and Spares
- Christian Aid
- Christian Aid Bridgnorth and Bridgnorth African Project
- CHUMS Befriending Service
- Church Stretton and Area Ring a Ride
- Churches Together around Ludlow
- Churches Together in Shropshire
- CinCH
- Citizen Engagement
- Citizens Advice Shropshire
- CJD Support Network
- Climbing Out
- Confide Counselling Service
- Consultant
- Continence Service
- Craven Arms (Age UK) Thursday Centre
- Craven Arms Good Neighbours
- Creative Inspiration Shropshire CIC
- Cricket Federation for People with Disabilities (C.F.P.D)
- Crossroads Together
- Crowsmill Craft Centre CIC
- Cruse Bereavement Care
- DASH
- Deaf Direct
- Derwen College
- Designs in Mind
- Disabled Holiday Information
- Dog Aid
- Empathy for Special Children
- Energize Shropshire, Telford & Wrekin
- Enterprise Education Alliance LTD
- Enterprise South West Shropshire
- Fairness, Respect, Equality Shropshire (FREsh) LTD
- Fairshare Credit Union
- Foodbank PLUS (Barnabas Community Projects)
- Fordhall Community Land Initiative
- Friends of the Flaxmill Maltings
- Gender Matters
- Girlguiding Shropshire
- Girlguiding Shropshire
- Green Shropshire Xchange
- Grove Connex

- Headway Shropshire
- Healthwatch Shropshire
- Healthy Friendships
- Heart Support Group - Ludlow & District
- Hereford Diocese
- Home-Start Shropshire
- Hope House Children's Hospices
- Hope Initiatives
- House on Crutches Museum Collection Trust
- Housing Young People in Shrewsbury
- Impact Alcohol & Addictions Services
- Kaleidoscope
- Landau Limited
- Light Foot Enterprises
- Lingen Davies Cancer Fund
- LLanymynech Village Hall
- Ludlow Assembly Rooms
- Lyneal Trust
- Macmillan
- Marches Energy Agency
- Marches Housing and Charitable Trust
- Market Drayton Community Enterprise
- Market Drayton Senior Citizens Forum
- Mediation Works
- Men in Sheds In Shropshire
- Mencap Market Drayton
- Minsterley Good Neighbours
- MRE Unlocking Enterprise
- MS Society
- Much Wenlock Community Computers
- Much Wenlock Forester Charitable Trust
- Mythstories
- NewStart Networks CIC
- North Salop Wheelers
- North Shrewsbury Friendly Neighbours
- North Shropshire Furniture Scheme
- Open Harmony
- Oswestry & District Sports Council
- Oswestry Community Action & Qube
- Oswestry Heritage Forum
- Oswestry Musical Theatre Company
- Oswestry Town Museum
- Oswestry Youth Cafe
- Parents and Carers Council (PACC)
- Parkinson's UK Shrewsbury Branch
- People2People CIC
- Peoples' Alliance For Ludlow
- Perry Riding for the Disabled
- Phoenix Centre Management CIC

- Picklescott Village Hall
- Polish Centre Shrewsbury CIC
- Pontesbury Practice Patients Participation Group
- Pontesbury Project
- Porch (Portland community hub)
- Pre-school Learning Alliance Shropshire
- Prime Resolution
- Radbrook Community Association
- Radbrook Community Association
- Rainbow Film Festival (LGBT Contact)
- RAWM
- Refuge
- Relate/Green Oak Foundation
- REMAP Shropshire
- Retired
- Riding for the Disabled (Baschurch Group)
- Riding for the Disabled (Oswestry & Newtown Group)
- Riding for the Disabled (Wolverhampton & East Shropshire Group)
- Royal Air Forces Association Shrewsbury Branch
- Royal British Legion
- Royal Voluntary Service
- Samaritans
- SAND: Safe Ageing No Discrimination
- Scout Association
- Scrappies
- SEEDs (Survivors Empowering Educating Domestic Abuse Survivors)
- Senior Citizens Forum
- Severn Centre Trust LTD
- Severn Valley Mindfulness LTD
- Shopmobility Shrewsbury
- Shrewbury Town in the Community
- Shrewsbury Children's Bookfest
- Shrewsbury Christian Centre Association (The Shrewsbury Ark)
- Shrewsbury Dial a Ride
- Shrewsbury Furniture Scheme
- Shrewsbury Hard of Hearing Group
- Shrewsbury Homes for All
- Shropshire & Mid-Wales Fertility Centre
- Shropshire Autistic Supporters
- Shropshire Borders Scouts
- Shropshire Cat Rescue
- Shropshire Cerebral Palsy Society
- Shropshire Community Transport Consortium
- Shropshire Cruse Bereavement Care
- Shropshire Deaf and Hard of Hearing Forum
- Shropshire Disability Network
- Shropshire Football Association
- Shropshire Heritage Forum
- Shropshire Housing Alliance

- Shropshire Housing Support Group
- Shropshire Independent Advocacy Service (SIAS)
- Shropshire Insight Group
- Shropshire Languages Society
- Shropshire MIND
- Shropshire Older People's Assembly
- Shropshire Partners in Care Ltd
- Shropshire Peer Counselling & Advocacy Service
- Shropshire Providers Consortium
- Shropshire RCC (Community Council of Shropshire)
- Shropshire Riding for the Disabled
- Shropshire Rural Support
- Shropshire Seniors
- Shropshire Seniors Forums
- Shropshire Wheelchair Users Group
- Shropshire Wildlife Trust
- Shropshire Youth Association
- Shropshire Youth Theatre
- Shropshire/Montgomery Branch International Tree Foundation
- Sight Loss Shropshire
- Signal
- Smallwoods
- Sophie Thorne Shrewsbury Arthritis Care Group
- South Shropshire Furniture Scheme
- South Shropshire Youth Forum
- Sova Staffordshire & Shropshire Young People Project
- SSAFA Shropshire
- Stapleton Village Hall
- Stretton Climate Care
- Taking Part
- Talking2Minds
- The Albrighton Trust
- The Friendly Transport Service
- The Green Oak Foundation
- The Hive
- The New Saints FC Community Foundation
- The Sea Change Trust
- The Roy Fletcher Centre
- The Sequal Trust
- The Shrewsbury Ark
- The Strettons Mayfair Trust/Mayfair Community Centre
- The Strettons Mayfair Trust/Mayfair Community Centre
- Through the Doorway to Healthy Living
- Tickwood Care Farm
- Transhouse
- Trefonen Hertiage Group
- Trefonen Playing Field Association
- Trefonen, Treflach and Nantmawr Village Design Statement
- Trident Reach

- Trustee of Age UK STW/Impact/A4U/Healthwatch T&W
- Victim Support
- VISS Sign Language Interpreting Service Ltd
- Visual Art Network, VAN Gallery
- Voluntary Sector Mental Health Forum of Shropshire and Telford & Wrekin
- Volunteer Reading Help
- WARA also Board member STAR
- Wave-length CIC
- Wem Town Hall Community Trust
- West Mercia Women's Aid
- West Shropshire Talking Newspaper
- West Shropshire Talking Newspaper for the Blind
- Wheels to Work
- Worker's Education Association (WEA)
- Working4Me CIC
- Wyldwoods CIC
- YSS
- Zest for Life
- Sport and Art in the Community (SpArC) South West Shropshire
- Headway Shropshire
- Hands Together Ludlow
- Ludlow Assembly Rooms
- The Movement Centre
- Shrewsbury Town in the Community
- Smallwoods
- Contact the Elderley
- Signal
- Witchurch Men in Sheds
- Crane Quality Counselling
- Livability
- Sustainable Transport Shropshire
- Arts Connection - Cyswllt Celf
- Inspire Support

Due to COVID-19, the methods adopted to undertake the consultation exercise were limited and did not include any face-to-face meetings or use of any public areas such as libraries, local community hubs or Council offices to deposit hard copies of the consultation information. This may have impacted on the breadth of reach of the consultation, although those involved in 2017 are likely to have known that the Order would have to be reviewed in 2020 and if they had significant concerns, it is hoped that they would have raised these even if they did not hear directly about the consultation.

Initial assessment for each group

Please rate the impact that you perceive the service change is likely to have on a group, through inserting a tick in the relevant column. Please add any extra notes that you think might be helpful for readers.

| Protected Characteristic groups and other groups in Shropshire | High negative impact <i>Part Two ESIIA required</i> | High positive impact <i>Part One ESIIA required</i> | Medium positive or negative impact <i>Part One ESIIA required</i> | Low positive or negative impact <i>Part One ESIIA required</i> |
|---|---|---|---|--|
| Age (please include children, young people, people of working age, older people. Some people may belong to more than one group eg child for whom there are safeguarding concerns eg older person with disability) | | | | YES |
| Disability (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV) | | | | YES |
| Gender re-assignment (please include associated aspects: safety, caring responsibility, potential for bullying and harassment) | | | | YES |
| Marriage and Civil Partnership (please include associated aspects: caring responsibility, potential for bullying and harassment) | | | | YES |
| Pregnancy & Maternity (please include associated aspects: safety, caring responsibility, potential for bullying and harassment) | | | | YES |
| Race (please include: ethnicity, nationality, culture, language, gypsy, traveller) | | | | YES |
| Religion and belief (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism, Shinto, Taoism, Zoroastrianism, and any others) | | | | YES |
| Sex (please include associated aspects: safety, caring responsibility, potential for bullying and harassment) | | | | YES |
| Sexual Orientation (please include associated aspects: safety; caring responsibility; potential for bullying and harassment) | | | | YES |
| Other: Social Inclusion (please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; people for whom there are safeguarding concerns; people you consider to be vulnerable) | | | | YES |

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Identification of likely impact of the service change in terms of other considerations including climate change and health and well being

Economic

It was, and continues to be, recognised that certain anti-social behaviours impact on the shopping and hospitality experiences in Shrewsbury town centre. The town centre businesses, through the Shrewsbury BID, are involved in assisting 'Team Shrewsbury' to capture behaviours data from a business perspective with the aim of enforcing the prohibitions in the Order to improve customer experiences in the town centre and encourage buying behaviours in both retail and hospitality businesses.

Environmental

There was an anticipated positive environmental impact associated with the original decision to implement the Order through a reduction in urinating/defecating in the street and the public not leaving their personal belongings in the town centre remains. Whilst the data available indicates there has been an increase in the reported incidents of these behaviours, any reduction in these behaviours will still have a positive impact on the environment and this can be influenced if the Order remains in effect.

Climate change

The Order, and any extension of it, will have no effect in respect of energy and fuel consumption, renewable energy generation, carbon offsetting or mitigation or climate change adaptation.

Health and wellbeing

The proposal to extend the Order is anticipated to have a positive direct impact on health, mental health and physical wellbeing of those who are currently sleeping rough, when they are assisted to find accommodation.

It is also anticipated to have a positive impact on social, economic and environmental living conditions that would indirectly affect health, given that it relates to the built and green environment of Shrewsbury town centre. There is likely to be a cleaner and safer street scene, which brings broader health benefits for all who live, work and visit Shrewsbury.

There may be opportunities for individuals to improve their own health and wellbeing, particularly in relation to reducing drug use and alcohol consumption; however, to do so, individuals are likely to require support from other health and social care services, including housing services, mental health services and also from the Shropshire Recovery Partnership.

Human rights

The Order, and any extension, has the potential to adversely impact human rights. However, Cabinet properly had regard to the rights of freedom of expression and freedom of assembly set out in the European Convention on Human Rights and the Human Rights Act 1998 during

the process that led to the initial implementation of the existing Order. The Council has not received any human rights challenges or complaints since the Order was brought into effect. As a result, it is reasonable to conclude that the original decision to implement the Order has not led to adverse human rights breaches, and that an extension to the existing Order is also unlikely to be at variance with the Human Rights Act 1998 or result in any adverse human rights implications.

Guidance Notes

1. Corporate and Service Area Policy and Practice on Equality and Social inclusion

This involves taking an equality and social inclusion approach in planning changes to services, policies or procedures, including those that may be required by Government.

The decisions that you make when you are planning a service change need to be recorded, to demonstrate that you have thought about the possible equality impacts on communities and to show openness and transparency in your decision making processes.

This is where Equality and Social Inclusion Impact Assessments (ESIAs) come in. Where you carry out an ESIA in your service area, this provides an opportunity to show:

- What evidence you have drawn upon to help you to recommend a strategy or policy or a course of action to Cabinet;
- What target groups and audiences you have worked with to date;
- What actions you will take in order to mitigate any likely negative impact upon a group or groupings, and enhance any positive effects for a group or groupings; and
- What actions you are planning to review the impact of your planned service change.

The formal template is there not only to help the service area but also to act as a stand alone for a member of the public to read.

The approach helps to identify whether or not any new or significant changes to services, including policies, procedures, functions or projects, may have an adverse impact on a particular group of people, and whether the human rights of individuals may be affected.

This assessment encompasses consideration of social inclusion. This is so that we are thinking as carefully and completely as possible about all Shropshire groups and communities, including people in rural areas and people we may describe as vulnerable, for example due to low income or to safeguarding concerns, as well as people in what are described as the nine 'protected characteristics' of groups of people in our population, eg Age. We demonstrate equal treatment to people who are in these groups and to people who are not, through having what is termed 'due regard' to their needs and views when developing and implementing policy and strategy and when commissioning, procuring, arranging or delivering services.

When you are not carrying out an ESIA, you still need to demonstrate that you have considered equality in your decision-making processes. It is up to you what format you choose.-You could

use a checklist, an explanatory note, or a document setting out our expectations of standards of behaviour, for contractors to read and sign. It may well not be something that is in the public domain like an ESIA, but you should still be ready for it to be made available.

Both the approaches sit with a manager, and the manager has to make the call, and record the decision made on behalf of the Council. Help and guidance is also available via the Commissioning Support Team, either for data, or for policy advice from the Rurality and Equalities Specialist. Here are some examples to get you thinking.

Carry out an ESIA:

- If you are building or reconfiguring a building;
- If you are planning to reduce or remove a service;
- If you are consulting on a policy or a strategy;
- If you are bringing in a change to a process or procedure that involves other stakeholders and the wider community as well as particular groupings

For example, there may be a planned change to a leisure facility. This gives you the chance to look at things like flexible changing room provision, which will maximise positive impacts for everyone. A specific grouping that would benefit would be people undergoing gender reassignment

Carry out an equality and social inclusion approach:

- If you are setting out how you expect a contractor to behave with regard to equality, where you are commissioning a service or product from them;
- If you are setting out the standards of behaviour we expect from people who work with vulnerable groupings, such as taxi drivers that we license;
- If you are planning consultation and engagement activity, where we need to collect equality data in ways that will be proportionate and non-intrusive as well as meaningful for the purposes of the consultation itself;
- If you are looking at services provided by others that help the community, where we need to demonstrate a community leadership approach

For example, you may be involved in commissioning a production to tour schools or appear at a local venue, whether a community hall or somewhere like Theatre Severn. The production company should be made aware of our equality policies and our expectation that they will seek to avoid promotion of potentially negative stereotypes. Specific groupings that could be affected include: Disability, Race, Religion and Belief, and Sexual Orientation. There is positive impact to be gained from positive portrayals and use of appropriate and respectful language in regard to these groupings in particular.

2. Legal Context

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services. It is up to us as an authority to decide what form our equality impact assessment may take. Carrying out ESIAAs helps us as a public authority to

ensure that, as far as possible, we are taking actions to meet the general equality duty placed on us by the Equality Act 2010, and to thus demonstrate that the three equality aims are integral to our decision making processes. These are: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations.

Service areas would ordinarily carry out a screening assessment, or Part One equality impact assessment. This enables energies to be focussed on review and monitoring and ongoing evidence collection about the positive or negative impacts of a service change upon groupings in the community, and for any adjustments to be considered and made accordingly.

If the screening indicates that there are likely to be significant negative impacts for groupings within the community, the service area would need to carry out a full report, or Part Two assessment. This will enable more evidence to be collected that will help the service area to reach an informed opinion. Please contact the equality policy lead within the Council for more advice and guidance in this regard, as per details below.

For further information on the use of ESIIAs: please contact your head of service or contact Mrs Lois Dale, Rurality and Equalities Specialist and Council policy support on equality, via telephone 01743 258528, or email lois.dale@shropshire.gov.uk.