



Cambridge City Council Equality Impact Assessment (EqIA)

This tool helps the Council ensure that we fulfil legal obligations of the [Public Sector Equality Duty](#) to have due regard to the need to –

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

Guidance on how to complete this tool can be found on the Cambridge City Council intranet. For specific questions on the tool email Helen Crowther, Equality and Anti-Poverty Officer at equalities@cambridge.gov.uk or phone 01223 457046. Once you have drafted the EqIA please send this to equalities@cambridge.gov.uk for checking. For advice on consulting on equality impacts, please contact Graham Saint, Strategy Officer, (graham.saint@cambridge.gov.uk or 01223 457044).

1. Title of strategy, policy, plan, project, contract or major change to your service:
Extension and variation of Public Spaces Protection Order (Dog Control) 2017
2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available)
None available – existing order detailed here: https://www.cambridge.gov.uk/dog-control
3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?

The Public Spaces Protection Order (Dog Control) 2017 ("Order") is due to expire on the 19 October 2019. At any point before expiry of the Order, the Council can vary or extend it by up to three years if they consider it is necessary to prevent the original behaviour from occurring or recurring.

The Activities prohibited by the Order are:

- Failing to remove dog faeces immediately;
- Not keeping a dog on a lead in a designated area;
- Not putting, and keeping, a dog on a lead when directed to do so by an authorised officer; and
- Permitting a dog to enter land from which dogs are excluded.

The Order was not put forward as a means of unduly restricting the exercising or recreation of dogs across the city. The reason for making the Order was to address the detrimental effect on the quality of life of those in the locality caused by the irresponsible behaviour of a small minority of dog owners; and to set out a clear standard of behaviour to which all dog owners were required to adhere.

At any point before expiry of the Order, the Council can extend it by up to three years if they consider it is necessary to prevent the original behaviour from occurring or recurring. According to section 60(2) of the Act, before the time when a PSPO is due to expire, the local authority that made the PSPO may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent-

1. Occurrence or recurrence after that time of the activities identified in the Order, or
2. An increase in the frequency or seriousness of those activities after that time.

However according to section 61 of the Act, the Order may be varied by increasing or reducing the affected area, or by altering or removing a prohibition or requirement included in the Order or by adding a new one. Where an order is varied if satisfied on reasonable grounds that two conditions are met. The first condition is that:

- a. Activities carried on in a public place within the Council's area have had a detrimental effect on the quality of life of those in the locality; or,
- b. It is likely that activities will be carried on in a public place
- c.

The second condition is that the effect or likely effect, of the activities:

- a. Is or is likely to be, of a persistent or continuing nature;
- b. Is, or is likely to be, such as to make the activities unreasonable; and,
- c. Justifies the restrictions imposed by the notice.
- d.

Any such variations will need to be subject to consultation.

There are a number of differences between the current sealed Order and the new proposed varied Order, which are:

- a. Introduction of dog exclusion areas in parks which have been fenced – Ditton Fields (removal of the dogs on leads area for the whole recreation area, and restriction to fenced area containing the children’s play equipment only); Bean Tree Green (Rialto Close) and Huntsman Close.
- b. Removal of dogs on leads restrictions in areas where residents and officers have found restrictions impractical or unsuitable - former fenced area where Kings Hedges Recreation Ground paddling was located;
- c. Introduction of dogs on leads restrictions in areas where complaints have been received - Hanover and Princess Court green areas, Tenby Close play area and Lichfield Road recreation area
- d. Revision of play area name – The Bath House also known as Hector Pieteron Play area
- e. Introduction of dog exclusion areas where complaints have been received - Kingsway flats fenced green area and Searle Podium at Dobson Way
- f. Introduction to restrict number of dogs to be walked by a person at any one time in areas where complaints have been received - Byron’s Pool

4. Responsible Service

Environmental Services: Streets and Open Spaces Operations

5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick those that apply)

- Residents of Cambridge City
- Visitors to Cambridge City
- Staff

Please state any specific client group or groups (e.g. City Council tenants, tourists, people who work in the city but do not live here):

6. What type of strategy, policy, plan, project, contract or major change to your service is this? (Please tick)

- New
- Major change
- Minor change

7. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service? (Please tick)

No

Yes (Please provide details):

All council officers and external agencies who are involved with dog control and responsibility gathering can be involved with dog control, including but not limited to Cambridgeshire Police, Wood Green Animal Shelter, RSPCA and local dog welfare organisations.

8. Has the report on your strategy, policy, plan, project, contract or major change to your service gone to Committee? If so, which one?

No – due at committee at in January 2020.

9. What research methods/ evidence have you used in order to identify equality impacts of your strategy, policy, plan, project, contract or major change to your service?

None at the present time. A consultation of the changes is proposed between February and April 2020 which will include:

- All residents groups / associations near to Order
- Ward councillors
- Friends of Groups for land subject to proposed Order
- Dog welfare organisations including Wood Green, the RSPCA and the Dogs Trust
- Organisations associated with assistance dogs including Guide Dogs for the Blind
- Organisations associated with the homeless including Wintercomfort and the Street Outreach Team
- Local Access Forum for Access Land subject to Order

Officers will report the outcome of the consultation to the Executive Councillor at the Environment and Community Scrutiny Committee meeting in June 2020, including any proposed amendments to the order, together with a recommendation for the order's formal agreement.

10. Potential impacts

For each category below, please explain if the strategy, policy, plan, project, contract or major change to your service could have a positive/ negative impact or no impact. Where an impact has been identified, please explain what it is. Consider impacts on service users, visitors and staff members separately.

(a) Age

Note that this refers to any group of people of a particular age (e.g. 32 year-olds) , or within a particular age range (e.g. 16-24 year-olds) – in particular, please consider any safeguarding issues for children and adults at risk

Currently the Order applies to all age groups, and the proposed varied order includes some additional restrictions on parks, including removal of fenced areas where dogs can be walked, and restrictions on the number of dogs that can be walked. This may have a negative impact on members of the public that utilise these areas for walking their dogs, however restrictions are placed on a small number of areas that are not designed for the exercise of dogs and other suitable locations can be found near to areas where restrictions apply. Conversely this may also have a positive impact to family users of fenced parks, allowing free use of play areas without the fear of dogs sharing the same space.

(b) Disability

Note that a person has a disability if they have 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.

Currently the Order does not apply to all people. Nothing in the Order applies to a person in control of a working assistance dog which has been trained to assist a person who has a disability. For the purposes of the Order, a “disability” means a condition that qualifies as a disability for the purposes of the Equality Act 2010. It is proposed that the same exemptions continue with the varied Order to ensure that the restrictions placed on dog owners / handlers are reasonable and take into account conditions where it is not possible to comply.

(c) Gender reassignment

There are no equality impacts specific to this protected characteristic

(d) Marriage and civil partnership

There are no equality impacts specific to this protected characteristic

(e) Pregnancy and maternity

This may have a positive impact to family users of fenced parks, allowing free use of play areas without the fear of dogs sharing the same space

(f) Race

Note that the protected characteristic 'race' refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

There are no equality impacts specific to this protected characteristic

(g) Religion or belief

There are no equality impacts specific to this protected characteristic

(h) Sex

There are no equality impacts specific to this protected characteristic

(i) Sexual orientation

There are no equality impacts specific to this protected characteristic

(j) Other factors that may lead to inequality – in particular – please consider the impact of any changes on low income groups or those experiencing the impacts of poverty

All enforcement action is undertaken in accordance with the council's [Corporate Enforcement Policy](#).

Currently the option for dealing with dog control is fixed penalty notices, which offers individuals and businesses the opportunity to pay a monetary fine, and in turn discharge their liability to prosecution (they will not end up with a criminal record). The continuation of fines at the same level, including an early repayment amount continues to offer a lower threshold that individuals and businesses can also take advantage of, reducing financial impacts.

The council does not offer payment by instalments or payment plans. Payment for fixed penalties can only be accepted for the full amount. However in cases of extreme financial difficulties, officers have discretion to be able to extend the lower threshold payment period (subject to legal restrictions), and will work together with those issued fixed penalties to avoid prosecution where possible.

11. Action plan – New equality impacts will be identified in different stages throughout the planning and implementation stages of changes to your strategy, policy, plan, project, contract or major change to your service. How will you monitor these going forward? Also, how will you ensure that any potential negative impacts of the changes will be mitigated? (Please include dates where possible for when you will update this EqlA accordingly.)

Update of EqlA following consultation regarding the proposed order – due June 2020.

12. Do you have any additional comments?

All communication by the Streets and Open Spaces Operations team is undertaken in accordance with the [Service Standards](#) which details what customers can expect of us.

Usage and payment of FPNS will be monitored and the EqlA kept under review as required

13. Sign off

Name and job title of lead officer for this equality impact assessment: Wendy Johnston

Names and job titles of other assessment team members and people consulted: None

Date of EqlA sign off: 17 December 2018

Date of next review of the equalities impact assessment: June 2019

All EqlAs need to be sent to Helen Crowther, Equality and Anti-Poverty Officer. Has this been sent to Helen Crowther?

Yes

No

Date to be published on Cambridge City Council website: