

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 Kate Yerbury, 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
Committee paper for consultation located here: https://democracy.cambridge.gov.uk/documents/s61569/PSPO_Variation_Paper_2022_Report.pdf

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 2023. 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.
- Having more than the maximum number of dogs on designed land; 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

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.

Any such variations will need to be subject to consultation.

There are several differences between the current sealed Order and the new proposed varied Order, which are:

- a. Introduction of dog exclusion areas in following areas which are fenced: Shelly Row recreation ground, and fenced Coldham's Common Astro turf pitch and MUGA (multi use games area).
- b. Introduction of seasonal dogs on leads restrictions (for the nesting season 1st March to 31st July) in following areas where complaints have been received regarding lack of dog control or dogs straying without owner control, and/or concerns around nesting birds being disturbed: - Local Nature Reserves - Barnwell West, Barnwell East, Bramblefields, Limekiln Pit, Logan's Meadow (part), Paradise and West Pit, and Mill Road Cemetery.

- c. Introduction to restrict number of dogs (maximum of four) to be walked by a person at any one time in following areas where complaints have been received regarding aggressive dogs, lack of dog control or dogs straying without owner control: - Coldham's Common marked sports pitches, and Hobsons Park.
- d. Introduction of a requirement to provide details when requested to do so by an authorised officer.

There is also the proposal to increase the fixed penalty amount to the maximum value of £100 (with a reduced payment amount of £60 i.e., 40% discount if paid within 10 days). This is in line with all the environmental offences fixed penalty notices that are already set to the maximum value.

4. Responsible service
City Services: Operations

5. Who will be affected by this strategy, policy, plan, project, contract, or major change to your service? (Please tick all that apply)	<input checked="" type="checkbox"/> Residents <input checked="" type="checkbox"/> Visitors <input type="checkbox"/> 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): Click here to enter text.	

6. What type of strategy, policy, plan, project, contract, or major change to your service is this?	<input type="checkbox"/> New <input type="checkbox"/> Major change <input checked="" type="checkbox"/> Minor change
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7. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract, or major change to your service? (Please tick)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If 'Yes' please provide details below: 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?

Approved for consultation at Environment and Community Scrutiny Committee on 19th January 2023, full consultation took place in February and March 2023 in line with statutory requirements and due back at committee on 29th June 2023 for approval of extended and varied order.

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?

A consultation of the changes took place between February and March 2023 which included invitation to participate to:

- All residents' groups / associations in the city
- Ward and County councillors
- Friends of Groups in the city
- 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
- The Kennel Club

The consultation involved an online survey that was available as all those receiving an email and/or letter, as well as to the public. Posters were displayed at all parks and open spaces and details of the consultation were made available on the website.

Officers will report the outcome of the consultation to the Executive Councillor at the Environment and Community Scrutiny Committee meeting on 29th June 2023, 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 - Please also consider any safeguarding issues for children and adults at risk

Currently the Order applies to all age groups (including adults and juveniles), and the proposed varied order includes some additional restrictions on parks, including seasonal restrictions where dogs can be walked off lead, and restrictions on the number of dogs that can be walked. Regardless of age, all offenders will be asked to comply, and enforcement action taken..

This may have a negative impact on members of the public that use 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. Dog owners are most likely to be ages 55+ (36%).¹

Conversely this may also have a positive impact to family users or other users of these areas, allowing free use of play areas without the fear of dogs sharing the same space such as fenced children's play areas, outdoor paddling pools and fenced tennis courts.

Enforcement action for offences committed by young people (i.e., under the age of 18) will be dealt with in accordance with the Corporate Enforcement Policy and government guidance². The council does not currently have a juvenile policy and, therefore, fixed penalty notices would not be issued, but other avenues of enforcement action would be explored on a case-by-case basis.

(b) Disability

Currently the Order does not apply to all people and nothing in the Order applies to a person in control of a working assistance dog (such as guide dogs or hearing dogs) 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 consider conditions where it is not possible to comply. However, the definition of assistance dog has been amended to align with the definition as set out in the Equality Act 2010.

¹ [Pet Populations across the UK - PDSA \(2022\)](#)

² [Code of practice for litter and refuse: Part 1A - effective enforcement \(publishing.service.gov.uk\)](#)

(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 with young children of these areas where dogs are excluded, allowing free use of play areas without the fear of dogs sharing the same space. Such as fenced children's play areas, outdoor paddling pools and fenced tennis courts.

(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**
- **Groups who have more than one protected characteristic that taken together create overlapping and interdependent systems of discrimination or disadvantage. (Here you are being asked to consider intersectionality, and for more information see: https://media.ed.ac.uk/media/1_159kt25q).**

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 with an option for 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 EqIA accordingly.)

Update of EqIA following implementation of any amendments to PSPO once approved at committee or as/when award of any relevant considerations that need to be included. Due anytime over the next three years with an update by October 2026.

12. Do you have any additional comments?

All communication by the 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 EqIA 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 EqIA sign off: 28 April 2023

Date of next review of the equalities impact assessment: October 2026

Date to be published on Cambridge City Council website: With committee papers for June 2023 committee.

All EqIAs need to be sent to the Equality and Anti-Poverty Officer at equalities@cambridge.gov.uk