

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
Public Spaces Protection Order (Touting) 2016 (“PSPO Touting”)

2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available)
Public Spaces Protection Orders - Cambridge City Council

3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?
<p>The PSPO Touting is aimed at tackling verbal touting for punt tours outside of designated areas where legitimate touting can continue (by licensed punt operators). Touting must be verbal and witnessed by either an enforcement officer, police constable or PCSO before the breach of the Order can be sanctioned, by means of a Fixed Penalty Notice.</p> <p>To extend the PSPO Touting for 3 years and increase the fixed penalty notice issued for a PSPO breach from £75 to £100.</p> <p>The purpose of this PSPO is to prohibit verbally:</p>

Advertising or

Soliciting for custom or

Otherwise touting for

a punt tour or the hire or use of punts boats or similar craft on the River Cam (including any walking tour which includes or involves, whether or not for consideration, a punt tour or hire or use of punts boats or similar craft on the River Cam)

The restrictions have certain exemptions, explained in the Order.

By virtue of Chapter 2 of the Anti-social Behaviour, Crime and Policing Act 2014, a local authority can make a PSPO if satisfied, on reasonable grounds that the following two conditions are met:

(1) that activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

(2) that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature; is, or is likely to be, such as to make the activities unreasonable; and justifies the restrictions imposed by the notice.

A report is presented to Environment and Community Scrutiny Committee on 24 March 2022 detailing the responses to consultation and the main substantive issues raised during the consultation process.

Prominent notices are already displayed drawing the attention of members of the public to the fact that the PSPO Touting is in effect.

4. Responsible service

Community Services – Community Safety Team

5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service?

(Please tick all that apply)

- Residents
- Visitors
- 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):

Unlicensed punt operators and the touts working for them

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

- 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)

- Yes
 No

If 'Yes' please provide details below:

The PSPO Touting is enforced by the City Council's enforcement officers (Street and Open Spaces).

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

The proposals will go to Environment and Community Scrutiny Committee on 29 June 2023

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?

Sources of data used to inform this EqIA include:

- [Cambridgeshire Insight](#)
- [Anti-social Behaviour, Crime and Policing Act 2014](#)
- [Anti-social behaviour powers - Statutory guidance for frontline professionals](#)
- Public consultation via Citizen Lab

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

When initially put in place in 2016, it was anticipated that young people may be affected, especially those looking for summertime work selling punt tickets. However, this proposal is a continuation of the existing PSPO. The proposal includes increasing the fixed penalty notice issues for a PSPO breach from £75 to £100, however it allows for a 40% early payment discount, which would reduce the fine to £60 if paid within 10 days. The impact is mitigated as in cases of financial difficulties, officers will continue to 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.

(b) Disability

The restriction on tout numbers may improve accessibility and safety for this protected characteristic group.

The primary nuisance caused by punt touts shared by consultation was the obstruction of pavements. A reduction in pavement obstructions would reduce impact of those such as wheelchair users when travelling in the areas covered by the PSPO.

(c) Gender reassignment

No impact has been identified specific to this protected characteristic group.

(d) Marriage and civil partnership

No impact has been identified specific to this protected characteristic group.

(e) Pregnancy and maternity

No impact has been identified specific to this protected characteristic group.

The primary nuisance caused by punt touts shared by consultation was the obstruction of pavements. A reduction in pavement obstructions would reduce impact of those such as buggy users when travelling in the areas covered by the PSPO.

(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.

The notice may not be understood by those whose first language is not English, this would be the same for any Council notice displayed solely in English. Signs will be updated to be more succinct and include images of punting which can be universally understood.

In addition to signage and publication of the PSPO arranged by the City Council it is also the responsibility of punt operators to comply with the local legislation and to inform their employees of how the legislation impacts their work i.e. prohibited behaviours and locations for touting. The negative impact in relation to race may be mitigated by being able to arrange for a translation of the notice, upon request.

(g) Religion or belief

No impact has been identified specific to this protected characteristic group.

(h) Sex

No impact has been identified specific to this protected characteristic group.

(i) Sexual orientation

No impact has been identified specific to this protected characteristic group.

(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_I59kt25q).**

It was anticipated that people punting such as young people or students seeking summertime work are on lower incomes and would be impacted. Enforcement of the prohibition would have to be in line with the City Council's [Enforcement Policy](#).

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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.)

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12. Do you have any additional comments?

The Council has already taken a number of steps to deal with the problems of caused by touts.

A summary of the measures tried:

- Restrictions within leases/licences on the locations and numbers of touts
- A voluntary code of practice covering matters such as behaviour, touting locations and numbers
- A Byelaw to deal with aggressive punt touting
- An Injunction to prohibit use of certain areas of Council-owned land

Despite these steps, public concern about the activities and prevalence of touts in the city continues. The consultation responses showed 81.7% (196 respondents) supported the extension of the PSPO. Of those who supported the extension:

- The majority were residents (83%, 162 respondents)
- Over a quarter were people who worked in the city (34%, 67 respondents)

- Most of the business community supported the extension (19 of 22 businesses). This included 4 punt operators that supported the extension.

Reasons given for supporting the extension were:

- *“PSPO protects the city from nuisance touting and also other businesses from the unfair advantage that unregulated touting presents.” – Punt operator*
- *“The touting decreased after the PSPO came into effect. It will increase substantially if the PSPO is removed.” – Resident*
- *It has massively reduced the amount of harassment that visitors and residents receive – Resident*
- *“As a business we feel it is extremely important to interact professionally when touting for business, whilst adhering to the code of conduct for punting companies, set out by the City Council...If the PSPO were to cease, I'm certain that an expansion of the number of touts outside of the permitted touting zones would ensue and there would soon be a return to the days of numerous complaints of nuisance touting the city centre, with no recourse for poor behaviour.” – Punt operator*

13. Sign off

Name and job title of lead officer for this equality impact assessment: Keryn Jalli, Community Safety Manager

Names and job titles of other assessment team members and people consulted: Helen Crowther, Equality and Anti-Poverty Officer

Date of EqlA sign off: 06 June 2023

Date of next review of the equalities impact assessment: 01 June 2026

Date to be published on Cambridge City Council website: 14 June 2023

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