

Assessing the Impact on Protected Characteristics, the Welsh Language and Socio-Economic Disadvantage

For help to complete this form see the *How to Undertake an Equality Impact Assessment* leaflet. You are also welcome to contact Delyth Gadlys Williams, Policy and Equality Officer on ext. 32708 or DelythGadlysWilliams@gwynedd.llyw.cymru for further assistance.

The Council's is required (under the Equality Act 2010) to consider the effect any change in policy or procedure (or the creation of a new policy or procedure), has on people with protected equality characteristics. The Council also has a general duty to ensure fairness and foster good relations. A timely Equality Impact Assessment must be undertaken before making any decision on any relevant change (i.e. which has an effect on people with protected characteristics).

The Council is also required, under the requirements of the Welsh Language Standards (Section 44 of the Welsh Language (Wales) Measure 2011) to consider the effect of a change in any policy or procedure (or the creation of a new policy or procedure), in its opportunities for people to use Welsh and to ensure that Welsh is not treated less favourably than English. This document therefore ensures that these decisions protect and promote the use of the Welsh language.

From April 1st 2021 the Council has a duty to have due regard to tackling socio-economic disadvantage in strategic decisions.

1) Details

1.1. What is the name of the policy / service in question?

To introduce a legal order which is a Public Space Protection Order (PSPO)- for specific areas in Caernarfon, Pwllheli and Cricieth.

1.2 What is the purpose of the policy / service that is being created or amended? What changes are being considered?

The Anti-Social Behaviour, Crime and Policing Act 2014 empowers Local Authorities to introduce a Public Spaces Protection Order (PSPO) to deal with specific nuisance(s) or problem(s) in specific areas.

It is seen as one way of tackling anti-social behaviour in some areas in Caernarfon, Pwllheli and Cricieth. It will include 3 types of anti social behaviour which are prohibited by the order, and which can be enforced as criminal acts in certain circumstances. The 3 behaviours that will be part of the order are: 1) behaviour that causes harassment, alarm, nuisance or distress. 2)

Drinking alcohol if an authorised person asks them to stop, 3) loitering in a state of intoxication.

1.3 Who is responsible for this assessment?

Daron Owens, Senior Operational Officer of the Gwynedd and Anglesey Community Safety Partnership

1.4 When did you commence the assessment? Which version is this?

Version 1 21.07.23 (before the public consultation was held)
This is version 2 – 6.6.2024 (considering the results of the consultation)

2) Action

2.1 Who are the stakeholders or partners you need to work with to undertake this assessment?

North Wales Police
Caernarfon, Pwllheli and Cricieth Town Councils
Local Members responsible for the areas under consideration
Members of Parliament for the areas under consideration
The public and interested bodies
The Cabinet.

2.2 What measures have you taken to engage with people with equality characteristics, regarding the Welsh language or with communities (either of place or of need) that live with socio-economic disadvantage?

A public consultation took place between 26.2.24 and 14.3.24, a period of 6 weeks. The method was an online questionnaire, but there was also an opportunity for people to request a paper copy, write to us, email or phone us to provide comments.

Several messages were posted on social media during the consultation period. Messages about the consultation were shared on the Police and Town Council social media. Following a Press release, attention and publicity was given to the consultation by a number of publications.

Throughout the process of considering the intention to introduce GDMC, there have been several discussions with key stakeholders, such as Local and Parliamentary Members, and the Town Councils.

In accordance with the guidance, the Police Commissioner and the Chief Constable were also contacted for comments.

112 complete responses to the questionnaire were received.

2.3 What was the result of the engagement?

The majority of responses from the consultation noted support for the proposal.

Considering the results of the engagement, it was concluded that the support for the introduction of the PSPO is stronger than any opposition, and there is sufficient information to recognize that a number of people are concerned about anti-social behaviour in areas of Caernarfon, Pwllheli and Cricieth.

Among the comments, some identified anti-social behaviour in relation to children and young people, and there was reference to (possibly) other vulnerable people, namely people with mental health problems or drug/alcohol misuse. There was no recognizable pattern regarding the characteristics of equality.

When considering the possible impact on the Welsh Language, 60% responded with 'neutral'. 23% felt there would be a significant positive impact, and 8% indicated a slight positive impact. The rest of the responses (around 7%) indicated either 'no answer', or a negative impact. The comments here related to the lack of provision for young people.

It was asked in the questionnaire if the proposal was likely to have an impact (of some kind) on people facing socio-economic disadvantage. For those who answered this question, 33 indicated 'no/not applicable' and 33 'yes'.

In terms of possible impact, it was noted that it would make the area a more pleasant and less threatening place for everyone, and in particular, people will feel safer when using public transport. It was also felt that the proposal would have a positive effect, through an educational approach and creating a sense of pride in the community.

When considering possible negative effects, concern was noted about restricting access to certain areas and reducing opportunities to socialize. A few comments indicated the need to understand needs and offer support to homeless people, people involved in substance misuse or people with mental health problems. It was felt that it was necessary to tackle what is causing these problems in the first place. On the other hand, it was also noted that there is a need to ensure a firm response to anti-social behaviour and make it clear that it is not acceptable.

2.4 On the basis of what other evidence are you operating?

North Wales Police have presented a large amount of documentary evidence detailing the levels and types of anti-social behaviour in these areas. We have also received statements from nearby residents and businesses explaining the negative impact this is having. They have also shown that the current enforcement forces are not suitable to deal with these issues, which is the reason why new orders are needed. The Town Councils were of the same opinion and were significantly concerned about the effect of this behaviour on their towns.

2.5 Are there any gaps in the evidence that needs to be collected?

No

3) Identifying the Impact

3.1 The Council must give due regard to the effect any changes will have on people with the equality characteristics noted below. What impact will the new policy/service or the proposed changes in the policy or service have on people with these characteristics?

Characteristics	What type of impact? *	In what way? What is the evidence?
Race (including nationality)	Positive	This order, because of the specific prohibitions in it, can be used to deal with racial hate crime, and the first prohibition of the order in particular.
Disability	Positive	This order, because of the specific prohibitions in it, can be used to deal with disability hate crime, particularly the first prohibition of the order. It is expected that a small number of people will reach the threshold that will lead to an arrest. For the person who is arrested, the Police have procedures to offer well-being interventions in custody and beyond. This includes aspects of mental health or learning disability, neurodivergence and the specific needs of an individual.
Sex	Positive	Women have indicated that they feel unsafe in these areas. We can predict that an order will lead to women feeling safer.

Age	Positive	<p>From the evidence provided and within the consultation responses, we see that much of the public's concern is focused on anti-social behaviour by children and young people, but not only them.</p> <p>The order will have a positive effect for many ages, but especially when considering the responses to the consultation stating that elderly people feel afraid when using public transport or visiting the areas. Likewise, the order will improve perceptions of safety for young people traveling or using these public spaces.</p>
Sexual orientation	Positive	This order, because of the specific prohibitions in it, can be used to deal with sexual orientation hate crime, particularly the first prohibition of the order.
Religion or belief (or non-belief)	Positive	This order, due to the specific prohibitions in it, can be used to deal with a hate crime of religion or belief, especially the first prohibition of the order.
Gender reassignment	Positive	This order, because of the specific prohibitions in it, can be used to deal with gender reassignment hate crime, particularly the first prohibition of the order.
Pregnancy and maternity	Positive	Women have indicated that they feel unsafe in these areas. We can predict that an order will lead to pregnant women or new mothers feeling safer.
Marriage and civil partnership	none	None
The Welsh language	none	No effect- ensure that any signs are in Welsh first in accordance with the Council's language policy.
Socio-Economic Disadvantage	Positive / negative	<p>A wide range of comments were provided about this characteristic (see above). This matter is a subjective one, and we can interpret that there is potential for a positive and negative effect, dependent on perspective and specific circumstances.</p> <p>In terms of the potential positive impact it would make the area a more enjoyable and less threatening place for everyone, and create a sense of pride in the community.</p> <p>In terms of the potential negative impact there was concern about the possibility of restricting access to areas and reducing opportunities to socialise and having an unequal impact on people with mental health problems or who misuse substances.</p>

3.2 The Council has a duty under the 2010 Equality Act to contribute positively to a fairer society by promoting equality and good relations in its activities regarding the following characteristics – age, gender, sexual orientation, religion, race, gender reassignment, disability and pregnancy and maternity. The Council must give due attention to the way any change affects these duties.

General Duties of the Equality Act	Does it have an impact?	In what way? What is the evidence?
Abolishing illegal discrimination, harassment and victimisation	Yes	Yes, because the order specifically targets harassing behaviour - this can include hate crime of all kinds (all the above features).
Promoting equal opportunities	Yes	Yes, because the order specifically targets harassing behavior - this can include hate crime of all kinds (all the above features). Hopefully this will mean encouraging people with protected characteristics to participate in public life in these areas.
Encouraging good relationships	Yes	Yes, because enforcement starts with engagement and education. If this is effective, it prevents the behavior from escalating and needing a legal response. It therefore tries to improve a person's understanding of the effect their behavior has on other members of the public etc. One of the intentions is to make specific areas in Caernarfon, Pwllheli and Cricieth a safer and nicer public space for all members of the community. It will foster good relationships by promoting socializing in these areas.

3.3 How does your proposal ensure that you work in accordance with the requirements of the Welsh Language Standards (Welsh Language (Wales) Measure 2011), to ensure that the Welsh language is not treated less favourably than English and that you seize every opportunity to promote the Welsh language (beyond providing services bilingually) and increase opportunities to use and learn the language in the community?

We believe that this is not relevant to this proposal as the proposal does not have an impact at all on opportunities for persons to use the Welsh language, nor does it treat the Welsh language less favorably than the English language.

3.4 **What other measures or changes could you include to strengthen or change the policy / practice in order to have a positive impact on people's opportunities to use the Welsh language, and to reduce or prevent any adverse effects that the policy / practice may have on the Welsh language?**

As above.

3.5 **How does the proposal show that you have had due regard to the need to address inequality caused by socio-economic disadvantage? (Note that this is about closing inequality gaps rather than just improving outcomes for everyone)?**

Due regard has been given to the need to tackle inequality. In particular, this was addressed in the public consultation. We can conclude that this issue is a subjective one. We can interpret that there is potential for positive and negative impact, dependent on perspective and specific circumstances.

In terms of the positive effects that have been identified, it would make the areas more pleasant and less threatening places for everyone, and people will feel safer when using public transport in particular. An educational approach and creating a sense of pride in the community will also have a positive effect.

According to the Government's Department of Transport (2019), transport is an important facilitator for social inclusion and well-being, which can affect economic and social outcomes, and therefore inequality. There is a relationship between income and the type of transport used. Those on lower incomes use buses more than those on higher incomes, and those on higher incomes use cars and trains more than those on lower incomes. The evidence provided identifies main bus stops as an area of concern, and shows that many avoid public transport as they feel afraid due to anti-social behaviour. The proposal will address this as these areas are part of the proposed PSPO.

[Transport and inequality \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

The potential negative impact identified was restricting access to certain areas and reducing opportunities to socialise. It is possible that the order could disproportionately affect those who are homeless, Misuse substances or people with mental health problems.

3.6 What other measures or changes might you include to strengthen or change the policy / practice to show that you have had due regard to the need to reduce disproportionate outcomes as a result of socio-economic disadvantage, in accordance with the Socio-Economic Act?

As stated above, reference has been made towards (possibly) vulnerable people, namely people with mental health problems or misusing substances. It was recognized that the order could affect these individuals disproportionately. In accordance with the statutory guidelines, consideration has been given to protecting vulnerable individuals, in terms of the risks of displacement and the value of working in partnership to solve problems.

There is extensive information about the support available on our web pages. In addition we communicate with the outreach team within the Health Service when there have been specific incidents related to substance misuse to ensure that the individuals are known to the service. We understand that this is a frustrating situation, and there is only so much that is possible with drinkers who are opposed to change / 'change resistant'. There are barriers around consent to share personal details, and the required desire to engage with services in the first place.

The purpose of the order is to address anti-social behaviour that takes place in specific areas and affects residents, businesses and visitors. The areas will remain open to all, unless they cause anti-social behaviour and negatively affect the majority. When weighing up the possible effects of the order, we conclude that the intention mainly reduces inequality, while making the proposed areas safer for **everyone**.

3.7

How does this proposal meet the requirements of the Well-being of Future Generations Act by implementing the five ways of working, and respond to the 7 national well-being goals including creating a Wales that is More Equal? (Please provide a summary of your findings if you have already considered this as part of the screening process)

The proposal meets the requirements of the Act as follows:

5 ways of working

Long term: The order itself will remain in place for 3 years, with the intention of changing people's attitudes towards their behavior in public places. In the longer term, it is hoped that this will contribute towards more responsible attitudes and respect towards the protection of our communities, and an understanding of the need to consider the impact on others.

Prevention: An order of this type will help to reduce the level of anti-social behavior in the community and help to prevent the situation from deteriorating in the near future.

Integration: Towards the Council's ambition of seeing communities that succeed and thrive. It will also contribute towards the Police's objectives, namely, to reduce crime and make the streets safer for residents.

Collaboration: This development is part of collaboration between the Council and the Police specifically. Town Councils and Members of Parliament have been involved in the discussions, and public opinion has been considered following the consultation.

Content: The Police, Town Councils and Local Members have been involved in the discussions. A public consultation was held and after consideration, minor amendments were made to the plans as a result of the comments provided.

7 well-being goals

A prosperous Wales using resources in an efficient and proportionate manner. The areas in question have been identified by evidence from the Police and the public as locations of concern for anti-social behaviour. Public services work in a context of competing demand. The specific areas have identified as practical and sensible, following discussions of what is manageable for policing.

A resilient Wales There is increasing recognition of the link between a healthy environment and better health and well-being. One of the intentions is to make specific areas in Caernarfon, Pwllheli and Cricieth a safer and nicer public space for all members of the community.

A more equal Wales Groups with protected characteristics are still at a disadvantage. The proposal specifically targets harassing behavior - this can include hate crime of all kinds (protected characteristics). People were given an equal opportunity to participate when considering this decision, through the public consultation. The proposal is based on the recognition of the impact of health inequalities, including criminal experiences. One of the intentions is to make specific areas in Caernarfon, Pwllheli and Cricieth a safer and nicer public space for all members of the community.

Healthier Wales The proposal responds to this well-being goal in terms of supporting a society where people's well-being is as good as possible, where prevention is central. The evidence provided clearly shows the negative impact that behavior has on communities, businesses and visitors in these areas. It causes alarm and fear, and makes people feel uncomfortable, and even leads people to avoid certain locations altogether. From the responses to the public questionnaire, we gather that several people are concerned about anti-social behaviour. The intention of the proposal is to address this.

A Wales of cohesive communities The proposal supports the aim of attractive, viable and safe communities as well as community well-being.

Wales with a vibrant culture where the Welsh language flourishes Caernarfon, Pwllheli and Cricieth have communities with a vibrant culture, where the Welsh language flourishes. Anti-social behavior has a negative impact on residents, businesses and visitors. The proposal seeks to protect culture, heritage and the Welsh language in these areas.

Wales is responsible on a global level Visitors from all over the world can be affected by anti-social behavior when they visit these areas. We believe that the proposal makes a positive contribution to global well-being.

3.8

In order to comply with the Armed Forces Act 2022, what is the effect of this proposal on those who serve or have served in the Armed Forces, together with their families, in terms of housing and education services?

No effect / irrelevant

4) Analysing the Results

4.1 Is the policy therefore likely to have a significant, positive impact on any of the above and what is the reason for this?

Hopefully it will have a positive impact in terms of:
The public's experience of working/living/visiting Caernarfon, Pwllheli and Cricieth,
People will see less ASB, and
They would feel safer when they are out in their community

4.2 Is the policy therefore likely to have a significant, negative impact on any of the above and what is the reason for this?

Nothing has been identified.

4.3 What should be done?

Choose one of the following:

Continue with the policy / service as it is robust	X
Adapt the policy to delete any barriers	
Suspend and delete the policy as the detrimental impacts are too big	
Continue with the policy as any detrimental impact can be justified	
No further action at this time because it is too soon to decide, or there is insufficient evidence	

4.4 If continuing with the project, what steps will you take to reduce or mitigate any negative impacts?

Not applicable - nothing has been identified

4.5 If you are not taking any further action to delete or reduce the negative impacts, explain why here.

Not applicable - nothing has been identified

5) Monitoring

5.1 What steps will you take to monitor the impact and effectiveness of the policy or service (action plan)?

The Police will prepare monitoring reports on enforcement of the Order and we will continue to receive general crime data. We will act on the information as needed and revisit the assessment in a timely manner.