

## **EQUALITY, DIVERSITY AND INCLUSION**

### **DONCASTER METROPLITAN BOROUGH COUNCIL**

#### **Due Regard Statement**

How to show due regard to the equality duty in how we develop our work and in our decision making.

## **Due Regard Statement**

A **Due Regard Statement** (DRS) is the tool for capturing the evidence to demonstrate that due regard has been shown when the council plans and delivers its functions. A Due Regard Statement must be completed for all programmes, projects and changes to service delivery.

- A DRS should be initiated at the beginning of the programme, project or change to inform project planning
- The DRS runs adjacent to the programme, project or change and is reviewed and completed at the relevant points
- Any reports produced needs to reference “Due Regard” in the main body of the report and the DRS should be attached as an appendix
- The DRS cannot be fully completed until the programme, project or change is delivered.

**1 Name of the 'policy' and briefly describe the activity being considered including aims and expected outcomes. This will help to determine how relevant the 'policy' is to equality.**

**Town Centre Public Spaces Protection Order**

The project/policy under consideration is the renewal of the Doncaster Town Centre Public Spaces Protection Order (PSPO) for a further three years from 7 November 2020. The current Town Centre PSPO has been in place since November 2017 with prohibitions covering anti-social activity in a designated area covering the town centre.

A Public Spaces Protection Order (PSPO) is an order that identifies a public place and prohibits specified things being done in the restricted area and/or requires specified things to be done by persons carrying on specified activities in that area.

A PSPO is made by a Local Authority if satisfied on reasonable grounds that two conditions are met. Firstly, that (i) 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; and (ii) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

The second condition is that the effect, or likely effect, of the activities is, or is likely to be of a persistent or continuing nature, such as to make the activities unreasonable, and therefore justifies the restrictions imposed by the notice.

The Council carried out a public consultation between 26 May 2020 and 20 July 2020 on the future of the town centre PSPO and whether it should be varied and extended. The outcome of the consultation is that overall there is strong support for the renewal of the PSPO from members of the public, businesses and key stakeholders.

The activity a renewed PSPO will cover and prohibit is as follows:

1. No person shall make any verbal, non-verbal or written request for money, donations or goods, including the placing of hats, clothing or containers so as to cause or is likely to cause harassment, alarm, distress, nuisance or annoyance.
2. No person shall loiter, sit or lay on the floor or on temporary structures in or adjacent to doorways or around pay machines (including banks, supermarkets) in a manner causing or likely to cause harassment, alarm, distress, nuisance or annoyance to any person within the Town Centre.
3. No person shall, after being requested to leave by an authorised officer due to them behaving in a manner causing or likely to cause harassment, alarm, distress, nuisance or annoyance to any

person within the Town Centre without reasonable excuse, remain or return to the Town Centre within a period of 24 hours.

4. No person shall consume alcohol in any public place in the Town Centre other than at licensed premises or shall be in possession of any opened vessel containing or purporting to contain alcohol in any public place save for those places identified by Section 62 of the Act.
5. No person will ingest, inhale, inject, smoke or otherwise use intoxicating substances (substances with the capacity to stimulate or depress the central nervous system) or possess any item that can be used to assist in the taking of intoxicating substances.. This includes any device for smoking substances other than e-cigarettes, it also includes needles, except for those packaged and sealed by the manufacturer and stored in a hard case.
6. No person shall urinate or defecate in any public place; this does not include public toilets.
7. No person shall, unless they have a parked vehicle in the location, without reasonable excuse, loiter near to, touch or interfere with any parking equipment, in the Town Centre without authorisation.

The aim of the proposed Public Spaces Protection Order is to address a number of specific concerns related to anti-social behaviour in the Town Centre and to encourage vulnerable people to access support and services, seeking to break the cycle of behaviour and vulnerability they can be locked into. In most cases this is directly linked to people who have complex and unstable lifestyles – sometimes homeless, sleeping rough and associated with addiction, poor physical and mental health, offending behaviour and other trauma.

The main concern is for the welfare of people with complex and unstable lifestyles and the focus of the policy intent is to use the PSPO as one tool to encourage people in need to access support services. There is also a need to ensure that the Town Centre is a welcoming and vibrant place for all Doncaster residents and visitors – we know this is a big concern for town centre users and for traders.

The renewal of the order will enable effective action to be taken for the benefit of the vulnerable individuals and for residents, visitors and local businesses. This in turn will support wider work being undertaken promote vibrancy and the feeling of safety within the Town Centre.

The order will be applied across the whole of the Town Centre as detailed in the map. The powers do not highlight one group over another, although it is considered that the order could impact on some groups with protected characteristics but with a clear intended focus to enhance support and improve outcomes for a group of people who are marginalised in society.

<p><b>2 Service area responsible for completing this statement.</b></p>	<p><i>Adults Health and Wellbeing, Legal Services.</i></p>
<p><b>3 Summary of the information considered across the protected groups.</b></p>	<p><i>Protected user groups as defined by the Equalities Act 2010 are: Age, Disability, Race, Gender, Sexual Orientation, Religion and Belief, Maternity and Pregnancy, Gender Reassignment, Marriage and Civil Partnership.</i></p> <p><b>Survey Response Equality Data</b></p> <p>The consultation survey responses provided the following information about respondents:</p> <p><b>Gender</b> Of those who responded, 42% (416) were male, 55% (535) were female, less than 1% (2) “other” and 3% (27) preferred not to say.</p> <p><b>Transgender</b> Less than 1% (5) identified as transgender, 94% (912) and 5% (50) preferred not to say</p> <p><b>Age</b> Less than 1% (5) were under 18, 2% (22) were 18-24, 7% (69) were 25-34, 11% (112) were 35-44, 25% (240) were 45-54, 24% (236) were 55-64, 20% (197) were 65-74, 5% (47) were 75 and over, and 5% (47) preferred not to say.</p> <p><b>Ethnic Background</b> 94% (902) were British, 6% (62) other nationalities including Indian, Pakistani, African, Caribbean.</p> <p><b>Religion</b> 57% (546) were Christian, 33% (319) have no religion, 5% (48) are of Buddhist, Sikh, Muslim and other religions, 5% (53) prefer not to say</p> <p><b>Sexual Orientation</b> 1% (13) were gay men, 1% (8) were gay women, 1% (8) were “other”, 86% (833) were heterosexual, 2% (18) were bisexual and 9% (92) prefer not to say</p>

**Disability**

10% (92) have a physical/mobility disability, 5% (42) have mental health illness, less than 1% (4) have visual impairments, 3% (31) have hearing impairments, less than 1% (3) have a learning disability and less than 1% (5) have autism. 80% (747) have no long term illness or disability.

The proposed PSPO will continue to act as an additional measure to complement the existing Council and public service partnership aim to provide support to people, alongside strengthened support systems in place across agencies with information, advice, guidance and outreach services. Within the cohort of people with complex lives, mental ill health can be a common feature and young people and women can be especially vulnerable in these circumstances.

Within the order it is clearly outlined when the prohibitions are to be in place and available for use. Officers using the powers within the order will make the informed decision on a case by case situation through use of clear engagement and taking into account any valid exemptions such as disability and / or medical related emergencies and in particular those linked to the prohibition around 'ingest, inhale, inject, smoke or otherwise use substances' which clearly states -

'Exemptions shall apply in cases where the substances are used for a valid and demonstrable medicinal use, given to an animal as a medicinal remedy, are cigarettes (tobacco) or vaporisers or are food stuffs regulated by food health and safety legislation.'

All designated officers with the responsibility to enforce the prohibitions within the order are trained in equality and diversity from induction and this is updated on a regular, if not annual basis. These include officers within Doncaster Council and officers from South Yorkshire Police.

### 1. Requesting money, donations or goods

Prohibition- No person shall make any verbal, non-verbal or written request for money, donations or goods, including the placing of hats, clothing or containers so as to cause or is likely to cause harassment, alarm, distress, nuisance or annoyance.

Age	Positive	Any young people found to be in breach of the PSPO will be referred into safeguarding mechanisms. In terms of local residents and visitors to the town centre, this is likely to have a positive impact on those of all ages, who may feel intimidated by this anti-social behaviour.
Disability	Positive	In terms of local residents and visitors to the town centre who have a disability, they may be disproportionately affected by this anti-social behaviour. The PSPO should benefit those people as this behaviour is expected to reduce as a result of the PSPO.
	Negative	Anecdotally it is expected that those people that undertake this behaviour will have a higher than average rate of physical and mental illness, given that is linked to alcohol/substance misuse. To mitigate against this, the support needs of individuals perpetrating the behaviour are considered including their housing situation, physical and mental health needs. Offending behaviour is assessed and a plan put into place to attempt to move people off the streets and into accommodation and support. Where engagement fails, enforcement action may be taken, balancing the needs of the individual with the need to tackle antisocial behaviour, respond to complaints and take action against illegal activity. Both mental and physical health considerations will be taken into account by officers who are trained in this regard.
Race	Neutral	.
Gender	Neutral	

	Sexual Orientation	Neutral	
	Religion or Belief	Neutral	
	Maternity and Pregnancy	Neutral	
	Gender Reassignment	Neutral	
	Marriage & Civil Partnership	Neutral	
	Veterans	Neutral	
	Homelessness	Negative	Anecdotally, it is expected that those people that undertake this behaviour will have a higher than average rate of physical and mental illness, given that is linked to alcohol/substance misuse. Many of those who are regarded as homeless are disproportionately linked to alcohol/substance misuse. To mitigate against this, the support needs of individuals perpetrating the behaviour are considered including their housing situation, physical and mental health needs. Offending behaviour is assessed and a plan put into place to attempt to move people off the streets and into accommodation and support. Where engagement fails, enforcement action may be taken, balancing the needs of the individual with the need to tackle antisocial behaviour, respond to complaints and take action against illegal activity. Both mental and physical health considerations will be taken into account by officers who are trained in this regard.
	Socio-Economic	Negative	Anecdotally, it is expected that those people that undertake this behaviour will be from lower socio-economic group. To mitigate against this, the support needs of individuals perpetrating the behaviour are considered including their housing situation, and other needs. Where engagement fails, enforcement action may be taken, balancing the needs of the individual with the need to tackle antisocial behaviour, respond to complaints and take action



against illegal activity. Both mental and physical health considerations will be taken into account by officers who are trained in this regard.

## 2. Loitering around pay machines unless waiting to use them

Prohibition- No person shall loiter, sit or lay on the floor or on temporary structures in or adjacent to doorways or around pay machines (including banks, supermarkets) in a manner causing or likely to cause harassment, alarm, distress, nuisance or annoyance to any person within the Town Centre.

Age	Positive	Any young people found to be in breach of the PSPO will be referred into safeguarding mechanisms. In terms of local residents and visitors to the town centre, this is likely to have a positive impact on those of all ages, who may feel intimidated by this anti-social behaviour.
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Disability	Positive	In terms of local residents and visitors to the town centre who have a disability, they may be disproportionately affected by this anti-social behaviour. The PSPO should benefit those people as this behaviour is expected to reduce as a result of the PSPO.
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	Negative	Anecdotally, it is expected that those people that undertake this behaviour will have a higher than average rate of physical and mental illness, given that is linked to alcohol/substance misuse. To mitigate against this, the support needs of individuals perpetrating the behaviour are considered including their housing situation, physical and mental health needs. Offending behaviour is assessed and a plan put into place to attempt to move people off the streets and into accommodation and support. Where engagement fails, enforcement action may be taken, balancing the needs of the individual with the need to tackle antisocial behaviour, respond to complaints and take action against illegal activity. Both mental and physical health considerations will be taken into account by officers who are trained in this regard.
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	Race	Neutral	
	Gender	Neutral	
	Sexual Orientation	Neutral	
	Religion or Belief	Neutral	
	Maternity and Pregnancy	Neutral	
	Gender Reassignment	Neutral	
	Marriage & Civil Partnership	Neutral	
	Veterans	Neutral	
	Homelessness	Negative	Anecdotally, it is expected that those people that undertake this behaviour will have a higher than average rate of physical and mental illness, given that is linked to alcohol/substance misuse. Many of those who are regarded as homeless are disproportionately linked to alcohol/substance misuse. To mitigate against this, the support needs of individuals perpetrating the behaviour are considered including their housing situation, physical and mental health needs. Offending behaviour is assessed and a plan put into place to attempt to move people off the streets and into accommodation and support. Where engagement fails, enforcement action may be taken, balancing the needs of the individual with the need to tackle antisocial behaviour, respond to complaints and take action against illegal activity. Both mental and physical health considerations will be taken into account by officers who are trained in this regard.
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behaviour are considered including their housing situation, and other needs. Where engagement fails, enforcement action may be taken, balancing the needs of the individual with the need to tackle antisocial behaviour, respond to complaints and take action against illegal activity. Both mental and physical health considerations will be taken into account by officers who are trained in this regard.

### 3. Returning to the Town Centre within 24 hours after being requested to leave

Prohibition- No person shall, after being requested to leave by an authorised officer due to them behaving in a manner causing or likely to cause harassment, alarm, distress, nuisance or annoyance to any person within the Town Centre without reasonable excuse, remain or return to the Town Centre within a period of 24 hours.

Age	Positive	Any young people found to be in breach of the PSPO will be referred into safeguarding mechanisms. In terms of local residents and visitors to the town centre, this is likely to have a positive impact on those of all ages, who may feel intimidated by this anti-social behaviour.
Disability	Positive	In terms of local residents and visitors to the town centre who have a disability, they may be disproportionately affected by this anti-social behaviour. The PSPO should benefit those people as this behaviour is expected to reduce as a result of the PSPO.
	Negative	Anecdotally, it is expected that those people that undertake this behaviour will have a higher than average rate of physical and mental illness, given that is linked to alcohol/substance misuse. To mitigate against this, the support needs of individuals perpetrating the behaviour are considered including their housing situation, physical and mental health needs. Offending behaviour is assessed and a plan put into place to attempt to move people

			<p>off the streets and into accommodation and support. Where engagement fails, enforcement action may be taken, balancing the needs of the individual with the need to tackle antisocial behaviour, respond to complaints and take action against illegal activity. Both mental and physical health considerations will be taken into account by officers who are trained in this regard.</p>
		Race	Neutral
		Gender	Neutral
		Sexual Orientation	Neutral
		Religion or Belief	Neutral
		Maternity and Pregnancy	Neutral
		Gender Reassignment	Neutral
		Marriage & Civil Partnership	Neutral
		Veterans	Neutral
		Homelessness	Negative
			<p>Anecdotally, it is expected that those people that undertake this behaviour will have a higher than average rate of physical and mental illness, given that is linked to alcohol/substance misuse. Many of those who are regarded as homeless are disproportionately linked to alcohol/substance misuse. To mitigate against this, the support needs of individuals perpetrating the behaviour are considered including their housing situation, physical and mental health needs. Offending behaviour is assessed and a plan put into place to attempt to move people off the streets and into accommodation and support. Where engagement fails, enforcement action may be taken, balancing the needs of the individual with the need to tackle antisocial</p>

behaviour, respond to complaints and take action against illegal activity. Both mental and physical health considerations will be taken into account by officers who are trained in this regard.

Socio-Economic      Neutral

**4. Consuming alcohol other than at licensed premises**

Prohibition- No person shall consume alcohol in any public place in the Town Centre other than at licensed premises or shall be in possession of any opened vessel containing or purporting to contain alcohol in any public place save for those places identified by Section 62 of the Act.

Age                      Positive      Any young people found to be in breach of the PSPO will be referred into safeguarding mechanisms. In terms of local residents and visitors to the town centre, this is likely to have a positive impact on those of all ages, who may feel intimidated by this anti-social behaviour.

Disability              Neutral      (noting alcohol misuse does not amount to a disability).

Race                      Neutral

Gender                    Neutral

Sexual Orientation    Neutral

Religion or Belief      Neutral

Maternity and  
Pregnancy              Neutral

Gender                    Neutral

Reassignment

Marriage & Civil      Neutral

Partnership

	Veterans	Neutral	
	Homelessness	Neutral	
	Socio-Economic	Neutral	
	<b>5. Ingest, inhale, inject, smoke or otherwise use intoxicating substances</b>		
	Prohibition- No person will ingest, inhale, inject, smoke or otherwise use intoxicating substances (substances with the capacity to stimulate or depress the central nervous system) or possess any item that can be used to assist in the taking of intoxicating substances. This includes any device for smoking substances other than e-cigarettes, it also includes needles, except for those packaged and sealed by the manufacturer and stored in a hard case.		
	Age	Positive	Any young people found to be in breach of the PSPO will be referred into safeguarding mechanisms. In terms of local residents and visitors to the town centre, this is likely to have a positive impact on those of all ages, who may feel intimidated by this anti-social behaviour.
	Disability	Neutral	(noting substance misuse does not amount to a disability).
	Race	Neutral	
	Gender	Neutral	
	Sexual Orientation	Neutral	
	Religion or Belief	Neutral	
	Maternity and Pregnancy	Neutral	

Gender Reassignment	Neutral
Marriage & Civil Partnership	Neutral
Veterans	Neutral
Homelessness	Neutral
Socio-Economic	Neutral

**6. Urinating or Defecating**

Prohibition- No person shall urinate or defecate in any public place; this does not include public toilets.

Those with very complex mental or physical health issues may have reasonable excuse, which has been built into the PSPO and would be assessed on a case-by-case basis, and would be a rare situation. Urination and Defecation in a public place is a public health risk.

Age	Neutral
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Disability	Negative	Toilets are available in some town centre premises for customers and there are public toilets available at the Market, Wool Market and Frenchgate Centre. There is a potential defence of reasonable excuse for people with very complex mental or physical health issues.
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Race	Neutral
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Gender	Neutral
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Sexual Orientation	Neutral
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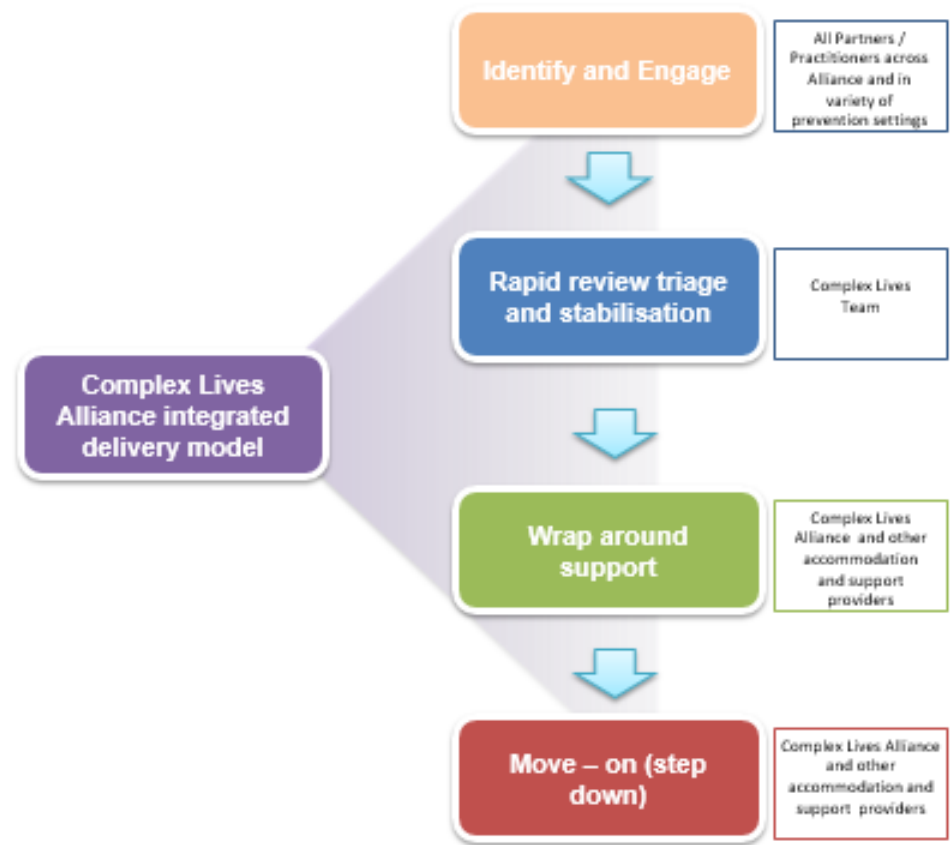
Religion or Belief	Neutral
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	<p>Maternity and Pregnancy Neutral</p> <p>Gender Neutral</p> <p>Reassignment Neutral</p> <p>Marriage &amp; Civil Partnership Neutral</p> <p>Veterans Neutral</p> <p>Homelessness Negative</p> <p>Socio-Economic Neutral</p> <p>Public toilets are not available 24 hours per day, but toilets are available in the Market, Wool Market, Frenchgate Centre and some commercial premises during the day. Those with very complex mental or physical health issues may have a reasonable excuse, which has been built into the PSPO and would be assessed on a case-by-case basis. It is expected that this would be a rare situation.</p>
	<p><b>7. Loitering or interfering with parking equipment</b></p> <p>Prohibition- No person shall, unless they have a parked vehicle in the location, without reasonable excuse, loiter near to, touch or interfere with any parking equipment, in the Town Centre without authorisation.</p>
	<p>Age Positive</p> <p>Any young people found to be in breach of the PSPO will be referred into safeguarding mechanisms. In terms of local residents and visitors to the town centre, this is likely to have a positive impact on those of all ages, who may feel intimidated by this anti-social behaviour.</p>
	<p>Disability Positive</p> <p>In terms of local residents and visitors to the town centre who have a disability, they may be disproportionately affected by this anti-social behaviour. The PSPO should benefit those people as this behaviour is expected to reduce as a result of the PSPO.</p>



		Negative	Anecdotally, it is expected that those people that undertake this behaviour will have a higher than average rate of physical and mental illness, given that is linked to alcohol/substance misuse. To mitigate against this, the support needs of individuals perpetrating the behaviour are considered including their housing situation, physical and mental health needs. Offending behaviour is assessed and a plan put into place to attempt to move people off the streets and into accommodation and support. Where engagement fails, enforcement action may be taken, balancing the needs of the individual with the need to tackle antisocial behaviour, respond to complaints and take action against illegal activity. Both mental and physical health considerations will be taken into account by officers who are trained in this regard.
	Race	Neutral	
	Gender	Neutral	
	Sexual Orientation	Neutral	
	Religion or Belief	Neutral	
	Maternity and Pregnancy	Neutral	
	Gender Reassignment	Neutral	
	Marriage & Civil Partnership	Neutral	
	Veterans	Neutral	
	Homelessness	Negative	Anecdotally, it is expected that those people that undertake this behaviour will have a higher than average rate of physical and mental illness, given that is linked to alcohol/substance misuse. Many of those who are regarded as homeless are

			<p>disproportionately linked to alcohol/substance misuse. To mitigate against this, the support needs of individuals perpetrating the behaviour are considered including their housing situation, physical and mental health needs. Offending behaviour is assessed and a plan put into place to attempt to move people off the streets and into accommodation and support. Where engagement fails, enforcement action may be taken, balancing the needs of the individual with the need to tackle antisocial behaviour, respond to complaints and take action against illegal activity. Both mental and physical health considerations will be taken into account by officers who are trained in this regard.</p> <p>Socio-Economic      Negative      Anecdotally, it is expected that those people that undertake this behaviour will be from lower socio-economic group. To mitigate against this, the support needs of individuals perpetrating the behaviour are considered including their housing situation, and other needs. Where engagement fails, enforcement action may be taken, balancing the needs of the individual with the need to tackle antisocial behaviour, respond to complaints and take action against illegal activity. Both mental and physical health considerations will be taken into account by officers who are trained in this regard.</p> <p><b>Work to support vulnerable individuals who are, homeless, rough sleepers with complex needs - Complex Lives Alliance</b></p> <p>The complex lives team offer case management of vulnerable adults with complex needs, working across multiple agencies to provide specialist support, enabling housing pathways, a whole system approach, and delivering against an outcomes framework. Providing formal and informal support in partnership with supported housing providers, Doncaster Council, NHS, NHS Community Mental Health Foundation Trust, Drug and Alcohol Service, Assertive Outreach, South Yorkshire Police, Department for Work and Pensions, community voluntary and faith organisations. This enables services to improve outcomes for people living complex lives, and those on the edge of complexity, whilst reducing demand on acute health and social care settings, police and other agencies.</p>
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(at 12 August 2020)

The Complex Lives team are working with 122 people and have a principal focus on the town centre. There are 9 rough sleepers in Doncaster

**4 Summary of the consultation/engagement activities**

**The legal requirements of the PSPO for consultation are:**

Before introducing, extending, varying or discharging a PSPO, there are requirements under the Act regarding consultation, publicity and notification (see also publication and communication, below).

Local authorities are obliged to consult with the local chief officer of police; the police and crime commissioner; owners or occupiers of land within the affected area where reasonably practicable, and appropriate community representatives. Any county councils (where the Order is being made by a district), parish or community councils that are in the proposed area covered by the PSPO must be notified.

There are additional requirements under the Act regarding Orders that restrict public rights of way over a highway (see below), but beyond this, and the broad requirements above, local authorities can determine for themselves what an appropriate consultation process might entail. However, this does provide an important opportunity to seek a broad range of views on the issue and can be invaluable in determining ways forward, establishing the final scope of the proposals and ascertaining their impact.

**Consultation:**

A PSPO consultation process started on 26 May 2020 and closed on 20 July 2020. The Act sets out requirements for who should be consulted which includes the Police and Police and Crime Commissioner, community members with an interest and people who own or occupy land and property in the area (statutory consultees). In addition to the statutory consultees as set out in the legislation, a full public consultation was undertaken and letters were sent to all business and residents in the town centre detailing how they could respond to the consultation which included an email address and a telephone number and was supported by a media campaign. The Council engaged the services of the Consultation Institute to devise the questions to be asked and Crisis, the National Charity for homeless people were asked to engage those who are associated with rough sleeping in the town centre, those who are currently in temporary accommodation and those who may not be able to access the online survey due to the Covid-19 lockdown.

The range of consultees included:-

- Residents of the affected area
- All town centre businesses
- Business representatives (e.g. Market Traders Federation, Town Centre Business Forum, Chamber of Commerce, Pubwatch)
- Town Centre land and property owners
- Faith groups
- Community and voluntary organisations

		<ul style="list-style-type: none"> <li>• Transport operators</li> <li>• British Transport Police</li> <li>• Public service partners</li> <li>• Creative and cultural partners</li> <li>• Groups representative of people who have a protected characteristic.</li> </ul> <p>In addition, there was an open invitation to all residents of Doncaster to have their say, responding to a notice/survey published on the council website.</p>
5	<p><b>Real Consideration:</b></p> <p><b>Summary of what the evidence shows and how has it been used</b></p>	<p>The consultation was an open invitation for Doncaster residents and others, to have their say. All 1001 responses received have been carefully considered and the proposal is that no amendments are made to the proposals that were the original subject of consultation. Statutory responses were received from the Police, the Police and Crime Commissioner and also British Transport Police.</p> <p>Crisis, the National Charity for homeless people assisted by engaging those who are associated with rough sleeping in the town centre. They were able to elicit responses from a number of people who are associated with rough sleeping and these responses indicated overall support for the PSPO.</p> <p>The current PSPO that expires in November 2020, has ten prohibitions and the proposal is to renew the current PSPO, but with amendments and to reduce the number of prohibitions to seven.</p> <p>The prohibitions will remain unchanged are - Returning to the Town Centre within 24 hours after being requested to leave, loitering, urination and defecation, interfering with parking equipment. Those to be amended are – asking for money, donations or goods, consuming alcohol other than at licensed premises, using intoxicating substances, but changed specifically to focus on the anti-social behaviour associated with it rather than the act itself.</p> <p>It is proposed that some are removed completely - gathering in groups of three or more, camping and chugging, specifically because the camping prohibition is contrary to Home Office guidance. The prohibitions that will be removed are - gathering in groups of three or more and making approaches to people with the intention of entering into any arrangements which involve people making future payments for the benefit of charity, access to credit or other purposes (chugging), because they do not pass the legal test of having evidence to support their inclusion. Whilst, the consultation responses supports retaining these two prohibitions regarding the Camping prohibition this is regarded by the</p>

Council as contrary to the updated Home Office Guidance. Regarding 'Chugging' the collated data does not suggest this is an issue that warrants the imposition of a PSPO.

### **Survey results and considerations**

#### **1. Question Asked:**

**People asking you for money, donations or goods – including through placing of hats, clothing or containers – that causes harassment, alarm, distress, nuisance, or annoyance.**

ANSWER CHOICES	RESPONSES	
Keep the prohibition as is	423	43.47%
Change the prohibition (as suggested)	482	49.54%
Change the prohibition in a different way	46	4.73%
Drop the prohibition altogether	22	2.26%
TOTAL	973	100%

93.01% in overall support of a prohibition relating to begging, which is 43.47% of responses agreeing to the suggested changes and 49.54% still supporting the PSPO preventing begging but did not want it to be changed as suggested. Comments about changing the prohibition in a different way were all focussed on stricter enforcement and more police and council presence.

In order that this does not negatively impact upon vulnerable people who may be homeless or rough sleeping, the management of the PSPO is a multi-agency effort, involving Police, teams across the Council, St Leger Homes, drug and alcohol and mental health services and others to ensure people are supported to break the cycle they are locked into. For people in this situation, the PSPO will be managed in such a way that it is geared towards connecting people to accommodation and support services.

#### **2. Question Asked:**

**People hanging around pay machines (including banks, supermarkets) unless waiting to use them.**

ANSWER CHOICES	RESPONSES	
Keep the prohibition as is	879	89.79%
Change the prohibition (as suggested)	86	8.78%
Drop the prohibition altogether	14	1.43%
TOTAL	979	100%

89.7% of supported retaining the prohibition, Changing the prohibition related to stricter enforcement. The 1.4% who favour dropping prohibition refer to support for those who are homeless and in need and criminalising these groups. This prohibition is for the benefit of all of those using town centre cash machines and is not a tool to criminalise those in need. Doncaster Council offers programmes to those who need support in the community through teams such as Complex Lives.

In order that this does not negatively impact upon vulnerable people who may be homeless or rough sleeping, the management of the PSPO is a multi-agency effort, involving Police, teams across the Council, St Leger Homes, drug and alcohol and mental health services and others to ensure people are supported to break the cycle they are locked into. For people in this situation, the PSPO will be managed in such a way that it is geared towards connecting people to accommodation and support services.

### 3. Question Asked:

**People who have been causing antisocial behaviour are prevented from returning to the Town Centre within 24 hours after being requested to leave**

ANSWER CHOICES	RESPONSES	
Keep the prohibition as is (as suggested)	766	77.45%
Change the prohibition	211	21.34%
Drop the prohibition altogether	12	1.21%
TOTAL	989	100%

77.45% of those surveyed favoured keeping the current prohibition. The 21.34% wanting to change the prohibition, supported stricter enforcement of the prohibition including extending the no return order to

longer than 24 hours. There were a very small number who were strongly against this being a prohibition.

In order that this does not negatively impact upon vulnerable people who may be homeless or rough sleeping, the management of the PSPO is a multi-agency effort, involving Police, teams across the Council, St Leger Homes, drug and alcohol and mental health services and others to ensure people are supported to break the cycle they are locked into. For people in this situation, the PSPO will be managed in such a way that it is geared towards connecting people to accommodation and support services.

**4. Question Asked:**

**People in groups of three or more causing anti-social behaviour**

ANSWER CHOICES	RESPONSES	
Keep the prohibition as is (as suggested)	667	68.20%
Change the prohibition	135	13.80%
Drop the prohibition altogether	176	18.00%
TOTAL	978	100%

The consultation recommended that this prohibition be dropped, but 68.2% want to keep it. Concerns are mainly about the perception that the removal of this prohibition would be a problem rather than it was an actual problem. There have been limited reported incidents of this occurring therefore, there is limited evidence to support this prohibition being renewed on the PSPO.

**5. Question Asked:**

**People drinking in the street in the Town Centre other than in a pub or an area where this is allowed such as a pub garden**

ANSWER CHOICES	RESPONSES	
Keep the prohibition as is	437	44.77%
Change the prohibition (as suggested)	462	47.34%



Change the prohibition in a different way	54	5.53%
Drop the prohibition altogether	23	2.36%
TOTAL	976	100%

A high percentage of respondents want to keep this PSPO prohibition (92.11%). 2.35% wanted to drop the prohibition and expressed views that the issue was not with alcohol but drugs and therefore there was either no problem with alcohol or there was no point in having such a prohibition, or it targeted homeless people claiming they are more likely to breach the PSPO because of using alcohol or drugs to self-medicate.

In order that this does not negatively impact upon vulnerable people who may be homeless or rough sleeping, the management of the PSPO is a multi-agency effort, involving Police, teams across the Council, St Leger Homes, drug and alcohol and mental health services and others to ensure people are supported to break the cycle they are locked into. For people in this situation, the PSPO will be managed in such a way that it is geared towards connecting people to accommodation and support services.

#### 6. Question Asked:

#### People having, taking or using recreational drugs/intoxicating substances within the Town Centre

ANSWER CHOICES	RESPONSES	
Keep the prohibition as is	483	39.12%
Change the prohibition (as suggested)	513	52.40%
Change the prohibition in a different way	73	7.46%
Drop the prohibition altogether	10	1.02%
TOTAL	979	100%

A reasonably large percentage of responders wanted to maintain the prohibition as it currently. The current wording still acts to prohibit anyone taking intoxicating substances in the Town Centre, so overall 91.52% in favour of a prohibition. Changes related mainly to stronger enforcement and extending the PSPO zone, which is not being proposed. The small number who selected the option to

drop the prohibition, mainly voiced concerned about this prohibition disproportionately affecting those in need of support.

In order that this does not negatively impact upon vulnerable people who may be homeless or rough sleeping, the management of the PSPO is a multi-agency effort, involving Police, teams across the Council, St Leger Homes, drug and alcohol and mental health services and others to ensure people are supported to break the cycle they are locked into. For people in this situation, the PSPO will be managed in such a way that it is geared towards connecting people to accommodation and support services.

**7. Question Asked:**

**People urinating or defecating other than in public toilets.**

ANSWER CHOICES	RESPONSES	
Keep the prohibition as is (as suggested)	858	87.64%
Change the prohibition	109	11.13%
Drop the prohibition altogether	12	1.23%
TOTAL	979	100%

The vast majority of those surveyed wanted to keep the prohibition. Changing the prohibition was about stricter penalties and enforcement and extending the PSPO zone. The small number wanting the prohibition to be dropped focussed on the lack of public toilets. Whilst facilities do exist, there are public toilets in the town centre.

**8. Question Asked:**

**People stopping you in the street for fundraising/marketing ('chuggers')**

ANSWER CHOICES	RESPONSES	
Keep the prohibition as is	653	67.00%
Change the prohibition	142	14.51%
Drop the prohibition altogether	181	18.49%

TOTAL	976	100%
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The vast majority of people who participated in the survey selected to keep to keep the current prohibition as it is. Changes still expressed strong views against the prohibition and banning and limitations mentioned. There is insufficient evidence to meet the legal test for retaining this prohibition.

The process to regulate and authorise the allocation of space in the town centre for fundraisers or other organisations is proving successful in ensuring compliance and adherence to best practice. The approach is based upon the Fundraising Regulator's - Code of Fundraising Practice that is based upon consistent high standards, fundraisers being aware of the standards expected, dealing with complaints and a culture of honesty, openness and respect for the public.

### 9. Camping

There were no options provided in the consultation in relation to the camping prohibition from the initial PSPO established 3 years ago. This is because evidence collected by the Council and the Police demonstrate that incidents relating this prohibition are low. In addition to this, the prohibition is contrary to Home Office Guidance produced since the introduction of the PSPO. Therefore, there is no justification for prohibition to continue.

### 10. Question Asked:

#### People standing around, touching or interfering with any parking equipment, in the Town Centre

ANSWER CHOICES	RESPONSES	
Keep the prohibition as is (as suggested)	900	91.46%
Change the prohibition	66	6.71%
Drop the prohibition altogether	18	1.83%
TOTAL	984	100%

The vast majority of those who participated in the survey wanted to keep the prohibition as it is. Those responders who indicated they wanted to change the prohibition generally wanted stricter penalties and more enforcement of this issue. A small group responded indicating the prohibition should be dropped

		<p>altogether, Their comments general suggested this was not a problem, which is at odds with what the vast majority are saying.</p> <p>In order that this does not negatively impact upon vulnerable people who may be homeless or rough sleeping, the management of the PSPO is a multi-agency effort, involving Police, teams across the Council, St Leger Homes, drug and alcohol and mental health services and others to ensure people are supported to break the cycle they are locked into. For people in this situation, the PSPO will be managed in such a way that it is geared towards connecting people to accommodation and support services.</p>
<b>6</b>	<b>Decision Making</b>	Cabinet will consider a report on 29 September 2020 on the outcome of the consultation and the recommendation to approve the revised Public Spaces Protection Order.
<b>7</b>	<b>Monitoring and Review</b>	<p>The responsibility for the monitoring and review of the arrangements will remain with the Head of Service for Localities and Town Centre in the first instance Regular updates will be delivered to elected members and Directors</p> <p>Those who have no fixed abode are not issued with either an enforcement notice or fixed penalty notice but rather their details are taken and their case is taken to a panel, made up of managers from enforcement, the manager of the Complex Lives Team, an inspector from the Police and the Head of Localities and Town Centre, which determines the most appropriate action e.g. signposting to the Council's Complex Lives Team who assist those who are homeless, vulnerable and those with health related issues.</p>
<b>8</b>	<b>Sign off and approval for publication</b>	*To be completed if there is approval to implement the PSPO*