

Title of policy / procedure / function / project / decision:	Review of Public Spaces Protection Orders on Dog Controls and Smoking in Children's Play Areas
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Evidence based equality analysis

Main aims, purpose and outcomes and how does it fit in with the wider aims of the organisation:

Regulatory Services are seeking approval from Cabinet to renew the Council's current Public Spaces Protection Orders (PSPO's) in relation to dog control, dog fouling and the prohibition of smoking in enclosed children's play areas. PSPO's can remain in force for a maximum period of 3 years, after which time they must be reviewed to remain in force for a further period of 3 years.

The proposed measures are:

- Dogs are excluded from fully enclosed children's play areas that contain play equipment.
- Dogs are excluded from Fully or Partially enclosed Multi Use Games Areas (MUGAs) and Tennis Courts.
- Dogs must be placed on a lead at the request of an authorised officer
- Dogs must be on a lead in: Grosvenor Park; cemeteries and council-maintained crematoria gardens; council managed bowling greens
- Where a lead is required, it must be a maximum of 2m in length (fixed or locked).
- A maximum of 6 dogs per person can be walked together.
- Dog walkers must carry sufficient means to pick up their dog foul.
- Dog walkers must pick up their dog foul.
- Smoking is prohibited in fully enclosed children's play areas

A public consultation took place between 16 May and 14 July 2024 on the proposed continuation of the PSPO's outlined above and proposes that these go ahead with one additional measure in respect of dogs on leads extending to all council managed bowling greens.

A breach of an Order is a criminal offence that can result in the offender being reported to the court or the breach being discharged through a £100 Fixed Penalty Notice. Restrictions on the proposed behaviours may have an impact on protected characteristics or other strategic equalities considerations, in particular the safeguarding of children and

vulnerable adults, mental well-being and community resilience, and disability. The impact on all factors has been considered.

Lead officer: Nicki Rose

Stakeholders:

For each of the areas below, an assessment needs to be made on whether the policy has a positive, negative or neutral impact, and brief details of why this decision was made and notes of any mitigation should be included. Where the impact is negative, this needs to be given a high, medium or low assessment. It is important to rate the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact –some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

	Neutral	Positive	Negative
Target group / area			
Race and ethnicity (including Gypsies and Travellers, refugees, asylum seekers etc.)	No impact		
Disability (as defined by the Equality Act - a physical or mental impairment that has a substantial and long-term adverse effect on a		Dogs excluded from enclosed Children’s play areas with play equipment / MUGAs / Tennis Courts	

<p>person's ability to carry out normal day-to-day activities)</p>		<p>Children and adults with a disability will be able to use the play parks without having concerns about dogs either running around the park, dog faeces, or leads being trip hazards.</p> <p>All registered Assistance dogs are exempt from this part of the Order</p> <p>Dog fouling / means to pick up foul Assistance dogs for visually or mobility impaired persons are exempt from this part of the Order</p> <p>Dogs on leads by Direction Enabling officers to direct dog owners to place their dogs on a lead will have a positive impact on those whose disability may mean they cannot protect themselves from a dog out of the owner's control.</p> <p>A maximum of 6 dogs to be walked per person</p>	
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		<p>Multiple dogs under the responsibility of a single person can result in dogs not being under control. This is particularly the case if they are not on a lead. Dogs on or off leads in large groups may mean people with a disability cannot protect themselves.</p>	
Sex (male or female)	No impact		
Gender identity (gender reassignment)	No impact		
Religion and belief (including lack of belief)	No impact		
Sexual orientation (including heterosexual, lesbian, gay, bisexual and others)	No impact		
Age (children and young people aged 0 – 24, adults 25 – 50, younger older people 51 – 75/80; older older people 81+. Age bands are for illustration only as overriding consideration should be given to needs)		<p>Dogs excluded from enclosed Children’s play areas with play equipment / MUGAs / Tennis Courts Children are more likely to be afraid of dogs they don’t know.</p>	

		<p>Dog fouling / means to pick up foul The most common complaint relating to dogs is fouling of the footpath and the associated public health risks, such as toxocariasis. Children are more likely to touch affected soil or faeces, increasing the risk of illness.</p> <p>Dogs on leads by Direction Enabling officers to direct dog owners to place their dogs on a lead will have a positive impact on children who may be unable to protect themselves from a dog out of the owner's control.</p> <p>Smoking Prohibited in Fully Enclosed Play Areas The prohibition on smoking in all designated play and sporting facilities contributes to creating a smoke free generation and</p>	
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		protect children from second-hand smoke.	
Care Experienced (all young people and adults who have been in the care of Cheshire West and Chester Council - for a period of 13 weeks or more - from the age of 14 years. This includes those children/young people for whom the Council currently or have previously held corporate parenting responsibilities)	No impact		
Carers (people who care for others, informally or formally)	No impact		
Rural communities	No impact		
Areas of deprivation (include any impact on people living in poverty who may not live in areas identified as deprived)	No impact		
Human rights (see guidance note for key areas to consider)	No impact		
Health and wellbeing and Health Inequalities (consider the wider determinants of health	No impact		

such as education, housing, employment, environment, crime and transport, plus impacts on lifestyles and effects on health and care services)			
Procurement/partnership (if project due to be carried out by contractors/partners etc, identify steps taken to ensure equality compliance)	N/A		

Evidence:

Cabinet Report.
 Draft PSPOs
 Consultation Report

All can be found at the link below (pg. 489 – 520)

<https://cheshirewestandchester.gov.uk/AgendaDocumentforCabinet,11/09/202410:00>

Action plan:

Actions required	Priority	Outcomes required	Officer responsible	Review date
Officers receive training about enforcement. A FPN can be	Ongoing	Ensure all officers involved in enforcement activities are	Stephanie Massey	Ongoing

<p>appealed, and information submitted about mitigating circumstances. Appeals are determined by the service manager. The FPN procedure will be reviewed regularly</p>		<p>familiar with requirements of the PSPO. That they are confident and suitably trained in dealing with vulnerable people and/or those with disabilities and understand when discretion should be applied in order to achieve fair and consistent outcomes Regular training of all authorised officers including equalities</p>		
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Sign off	
Lead officer: Nicki Rose	
Approved by Tier 4 Manager:	Vanessa Griffiths 7 August 2024
Moderation and/or Scrutiny - Moderation Group	
Date:	24 September 2024
Date analysis to be reviewed based on rating (high impact – review in one year, medium impact - review in two years, low impact in three years)	