

Annexe D - Equality Impact Assessment Form



| Section 1 - What is the policy or activity trying to achieve? | |
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| Describe the policy/strategy/procedure/function which is the subject of this impact assessment. | Public Spaces Protection Order No.1 – Dog fouling Public Spaces Protection Order No.2 – Dog Controls |
| Name and telephone number of officer completing assessment | Richard Homewood – 01483 523411 |
| Date completed | 24 April 2023 |
| <p>What outcomes are wanted from this policy/activity, what are you trying to achieve?</p> <p>The introduction of a Public Space Protection Order (PSPO) for dog fouling is necessary to ensure dog owners clean up dog fouling after their dogs have fouled in a public place. It replaces former controls made under the Dogs (Fouling of Land) Act which has been superceded by the Anti-Social Behaviour, Crime and Policing Act 2014 and gives local authorities the power to introduce PSPOs. There is a history of complaint about dog fouling in public places and its impact on the environment and on the quality of life of communities. There is also a history of inappropriate disposal of dog waste in plastic bags such as leaving it on the path or throwing it is hedges and nearby gardens.</p> <p>The proposed order requires dog owners and persons in control of a dog to carry a suitable receptacle for cleaning up dog fouling after the dog has fouled in a public place, to pick up dog fouling after it has occurred and remove it, disposing of it in a suitable receptacle such as a litter bin or waste bin or by taking it home and disposing of it in their own waste bin.</p> <p>The Order makes it an offence not to carry a suitable receptacle when exercising a dog, an offence to fail to clean up after the dog has fouled and an offence not to dispose of it in an appropriate manner.</p> <p>The introduction of Public Spaces Protection Order No.2 Dog Controls (PSPO No.2)) to ensure that:</p> <ul style="list-style-type: none"> • dogs are kept under appropriate control and if considered necessary on a lead; • that dogs are excluded from certain areas; and, • dog walkers are able to properly control the number of dogs they have under their control; <p>is necessary to promote responsible dog ownership and to ensure that other people, other dogs and /or wildlife are not adversely affected by the actions or inactions of irresponsible dog owners.</p> <p>There is a history of complaints about aggressive dog behaviour against other dogs, other members of the public and wildlife attacks which impact on the quality of life of communities, on wildlife and on the environment generally.</p> | |

The proposed order does not seek to impose blanket restrictions. It recognises the right of dog owners to exercise their dogs but also recognises the rights of other persons and wildlife not to be adversely affected by dog owners exercising that right.

It therefore seeks to strike a balance between the two by imposing requirements which:

- Exclude dogs from certain designated areas such as children’s play areas and sports pitches / fields where they might put other persons in fear or intimidation or might damage playing surfaces etc.
- Requires dogs to be kept on leads in certain areas where there might be ground nesting birds or other ground nesting wildlife, but only at certain times of the year (e.g. the breeding season)
- Empowers authorised officers to require a dog owner to place the dog or dogs on a lead if they believe it is not under adequate control.
- Restrict the number of dogs one person may exercise at any one time, in order to ensure they can be adequately controlled.

The proposed order identifies in schedules the various areas to which each of the restrictions apply. It is believed that by identifying specific areas the order still presents dog owners with sufficient unrestricted areas where they may exercise their dogs.

There are exemptions in the orders so that they do not apply to persons who are registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948; or, has a disability which affects his/her mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise, move everyday objects, in respect of a dog trained by a prescribed charity and upon which he/she relies for assistance. There is also a defence of ‘reasonable excuse’.

The Orders will be enforced by authorised officers of Waverley Borough Council or officers and PCSOs of Surrey Police.

The making of the order will be accompanied by a publicity campaign and a 4 week period of amnesty when warnings will be given rather than Fixed Penalty Notices.

The order will publicised by:

- advertising in the media
- signs will be placed at the entrances to public open spaces where the restrictions apply.
- Rangers and Enforcement Teams will participate in publicity campaigns
- hand out flyers to dog owners

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| Who is affected by this policy/activity? | All dog owners, persons in control of dogs, the general public, wildlife. |
| Who are the main people involved in this activity? | Officers authorised by Waverley Borough Council, Police Officers and PCSOs from Surrey Police |

| | |
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| Is the responsibility for the proposed policy/activity shared with another department, authority or organisation? If so, what responsibility and with whom is it shared? | Making of the Orders is the responsibility of the local authority. Implementation and Enforcement can be carried out by Local authority Authorised Officers / Police Officers |
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Section 2 - Information Gathering and Consulting Stakeholders

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| Do you have any monitoring data available on the number of people (from protected characteristic groups) who are using or are potentially impacted upon by your policy/activity? | Historical data on complaints of incidents of dogs out of control, aggressive dog behaviour, dog attacks on other dogs, people and wildlife and reports of excessive numbers of dogs being exercised by one person (resulting in the dogs being out of control) are held by the Council. Council Officers have intelligence on hot spots and problematic areas for these types of behaviour. There are exemptions proposed in the Orders which will respect the protected characteristics of dog owners. |
| If monitoring has NOT been undertaken or information is not available, specify the arrangement you intend to make; if not please give a reason for your decision. | An online public consultation has taken place, the results of which are reported in detail in the report to the Executive. |
| What research or consultation has been undertaken to understand the impacts of the strategy/policy/procedure/project/function? | Complaints and reports to the Council regarding dogs out of control, aggressive dog behaviour, dog attacks are monitored and feedback from our street cleansing and grounds maintenance contractors has confirmed that such incidents are a widespread issue in Waverley. Public consultation was carried out on the councils website and by coverage on social media and in the local press. Consultation was also carried out by email to all local borough councillors, town and parish councils and other organisations including animal welfare and disability organisations. |

Section 3 – Assess the Impact on Protected Characteristic Groups

| Sex | | | | |
|------------|--|---------|---|---|
| Women | Positive impact (it could benefit) | Neutral | Negative impact (it could disadvantage) | Additional Comments |
| | | Y | | The proposed orders do not differentiate people based on gender |
| Men | Positive impact (it could benefit) | Neutral | Negative impact (it could disadvantage) | Additional Comments |
| | | Y | | The proposed orders do not differentiate people based on gender |

| Gender Reassignment | | | | |
|--|------------------------------------|---------|---|---|
| Transgendered Men/Women | Positive impact (it could benefit) | Neutral | Negative impact (it could disadvantage) | Additional Comments |
| | | Y | | The proposed orders do not differentiate people based on gender |
| Race - The categories used in the Race section are those used in the 2001 census. Consideration should be given to the needs of specific communities within the broad categories. | | | | |
| | Positive impact (it could benefit) | Neutral | Negative impact (it could disadvantage) | Additional Comments |
| Asian | | Y | | The proposed orders do not differentiate people based on Race |
| Black | | Y | | The proposed orders do not differentiate people based on Race |
| Mixed race | | Y | | The proposed orders do not differentiate people based on Race |
| White | | Y | | The proposed orders do not differentiate people based on Race |
| Chinese | | Y | | The proposed orders do not differentiate people based on Race |
| Gypsy, Roma, Traveller | | Y | | The proposed orders do not differentiate people based on Race |
| Other racial or ethnic groups - specify | | Y | | The proposed orders do not differentiate people based on Race |
| Disability - Long term health impairment could include, mental health problems, asthma, heart conditions, chronic fatigue etc. | | | | |
| | Positive impact (it could benefit) | Neutral | Negative impact (it could disadvantage) | Additional Comments |
| Physical | Y | | | There are exemptions in the proposed orders to recognise disability |
| Sensory | Y | | | There are exemptions in the proposed orders to recognise disability |
| Learning | Y | | | There are exemptions in the proposed orders to recognise disability |
| Long Term Health Impairment | Y | | | There are exemptions in the proposed orders to recognise disability |
| Mental health | Y | | | There are exemptions in the proposed orders to recognise disability |
| Sexual orientation | | | | |
| Heterosexuals, lesbians, gay men and bisexuals | Positive impact (it could benefit) | Neutral | Negative impact (it could disadvantage) | Additional Comments |

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|---|--|---------|--|---|
| | | Y | | The proposed orders do not differentiate people based on Sexual Orientation |
| Age | | | | |
| | Positive impact (it could benefit) | Neutral | Negative impact (it could disadvantage) | Additional Comments |
| Older people | | Y | | The proposed orders do not differentiate people based on Age |
| Younger people and children | | Y | | The proposed orders do not differentiate people based on Age but there are restrictions on enforcement against persons under 16 yrs. |
| Religion or belief – Faith or belief groups cover a wide range of groupings, the most common of which are Buddhists, Christians, Hindus, Jews, Muslims, and Sikhs. Consider faith or belief categories individually and collectively when considering positive and negative impacts. | | | | |
| | Positive impact (it could benefit) | Neutral | Negative impact (it could disadvantage) | Additional Comments |
| Faith or belief groups | | Y | | The proposed orders do not differentiate people based on faith or belief |
| Pregnancy and Maternity | | | | |
| | Positive impact (it could benefit) | Neutral | Negative impact (it could disadvantage) | Additional Comments |
| Pregnancy and Maternity | Y | | | The proposed orders do not differentiate people based on pregnancy or maternity but there are exemptions if people are unable to bend to clean up after their dog has fouled. |
| Marriage and Civil Partnership | | | | |
| | Positive impact (it could benefit) | Neutral | Negative impact (it could disadvantage) | Additional Comments |
| Marriage and Civil Partnership | | Y | | The proposed orders do not differentiate people based on marriage or civil partnership |
| Other groups | | | | |
| | Positive impact (it could benefit) | Neutral | Negative impact (it could disadvantage) | Additional Comments |
| Carers | | Y | | The proposed orders do not differentiate people based on caring responsibility |
| Socio-economic disadvantage | | Y | | The proposed orders do not differentiate people based on socio-economic disadvantage |
| If you have indicated there is a potential negative impact on any group, are these intentional and of a high impact? Intended – i.e. can be justified in terms of legislation e.g. concessionary fares for over 60s High Impact? – i.e. it is or may be discriminatory | | | | |
| | | | No | |

against some groups
If there are no potential negatives impacts on any groups go to section 6

No

Section 4 - Consider Alternatives or Changes

| Change - Explain how policy/activity has changed/needs to change | Reasons for the Change |
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| | |

Section 5 - Action Planning

| Issue | Action required | Officer | Timescale | Resource implications | Comment |
|-------|-----------------|---------|-----------|-----------------------|---------|
| | | | | | |

| Section 6 Sign off | Name | Date |
|--------------------------|------------------|------|
| Name of Assessor: | | |
| Signed off by: | | |
| Name of EHOS or Director | Richard Homewood | |

Further guidance

If you need more advice and guidance, you may find the following sources useful:

- [Government Equality Office: Equality Act guidance](#)
- [Equality and Human Rights Commission; Public Sector Duty](#)
- [Equality and Human Rights Commission: Protected Characteristics](#)