

SSA EQUALITY IMPACT AND NEEDS ANALYSIS

Directorate	Environment & Community Services
Service Area	Parks
Service/policy/function being assessed	Park & Open Space Byelaws
Which borough (s) does the service/policy apply to	Wandsworth
Staff involved	Joanne Shearer & Steve Biggs (Lead Officer)
Date approved by Policy and Review Manager	21.12.18

SUMMARY

Please summarise the key findings of the EINA.

The enforcement of the Greater London Council (GLC) Byelaws already takes place and ensures that the parks and open spaces to which they apply across the borough, remain safe places for all residents and visitors. The use of Fixed Penalty Notices (FPN) is merely an alternative means through which enforcement can take place and it is now proposed to make an application to London Councils for the use of FPN for the new Wandsworth Byelaws. As the new Wandsworth Byelaws have only recently been confirmed, the best alternative data for this EINA is that provided by the enforcement of GLC Byelaws, which have been in place for many years.

An analysis of the data based on the full year enforcement statistics for GLC offences for 2017/18 (84 prosecutions) shows that the group most likely to offend and be prosecuted for byelaw offences in parks and open spaces are white (84.53%) males (86.90%) between the ages of 25-59 (85.72%). This means that any changes are likely to impact most on this group.

Notwithstanding this, the proposals contained within this EINA will only impact upon those members of the public who choose to breach the Wandsworth Byelaws for parks and open spaces.

1. Background

Briefly describe the service/policy or function:

The Council is proposing to introduce Fixed Penalty Notices (FPN) for the enforcement of the new Wandsworth Byelaws. These byelaws relate to the proper conduct of users of the smaller parks and open spaces in Wandsworth and aim to deal with unacceptable

behavior, which is not addressed through other existing legislation, such as that which may cause distress or injury to other users, or that might damage these spaces and detract from their general enjoyment by the public.

Wandsworth Byelaw offenders are currently prosecuted through the Magistrates' Court, which can potentially lead to a criminal record. The use of FPN is an alternative means through which enforcement can take place, with the following perceived benefits:

- It will reduce Police Officer time spent preparing cases for court.
- It will increase officer time spent patrolling parks and open spaces.
- It will reduce court time spent dealing with less serious offences.

The parks and open spaces that are covered by these byelaws are listed below:

Barn Elms Sports Centre, SW13 (Barnes)

Battersea Rise Cemetery, SW11 (Northcote)

Bramford Gardens, SW18 (Fairfield)

Causeway Spit, SW18 (Fairfield)

Christchurch Gardens, SW11 (Latchmere)

Coronation Gardens, SW18 (Southfields)

Cunliffe Street Open Space, SW16 (Furzedown)

Dover House Road Playing Fields, SW15 (Roehampton)

Elsbeth Road Open Space, SW11 (Shaftesbury)

Falcon Park, SW11 (Latchmere)

Fishponds Playing Fields, SW17 (Tooting)

Fountain Road Recreation Ground, SW17 (Tooting)

Fred Wells Gardens, SW11 (St Mary's Park)

Furzedown Recreation Ground, SW17 (Furzedown)

Garratt Lane Old Burial Ground, SW18 (Fairfield)

Garratt Park, SW17 (Earlsfield)

Godley Gardens, SW18 (Wandsworth Common)

Harroway Road Open Space, SW11 (St Mary's Park)

Heathbrook Park, SW8 (Queenstown)

Huguenot Burial Ground, SW18 (Fairfield)

John Burns Playground, SW11 (Shaftesbury)

King George's Park, SW18 (Southfields)

Latchmere Recreation Ground, SW11 (Latchmere)

Lavender Gardens, SW11 (Shaftesbury)

Leader's Gardens, SW15 (Thamesfield)

Montefiore Gardens, SW8 (Queenstown)

Openview Sports Ground, SW18 (Wandsworth Common)

Petergate Open Space, SW11 (Latchmere)

Putney Lower Common Cemetery, SW15 (Thamesfield)

Putney Old Burial Ground, SW15 (East Putney)

Putney Park Lane, SW15 (West Putney)

Queenstown Road Open Space, SW8 (Queenstown)

Shillington Street Open Space, SW11 (Latchmere)
Swaby Gardens, SW18 (Earlsfield)
The Pleasance, SW15 (West Putney)
Tooting Gardens, SW17 (Tooting)
Upper Tooting Park, SW17 (Nightingale)
Waterman's Green, SW15 (Thamesfield)
York Gardens, SW11 (Latchmere)

2. Analysis of need and impact

Protected group	Findings																										
Age	<p>As a matter of policy, no-one under 18 is prosecuted for byelaw offences.</p> <p>The 2011 Census data for Wandsworth provides the following breakdown by age:</p> <table border="1"> <thead> <tr> <th>Age</th> <th></th> </tr> </thead> <tbody> <tr> <td>0 – 17 (N/A)</td> <td>55,627 – 18.12%</td> </tr> <tr> <td>18 - 24</td> <td>29,240 – 9.52%</td> </tr> <tr> <td>25 - 59</td> <td>184,559 – 60.12%</td> </tr> <tr> <td>60 - 64</td> <td>10,658 – 3.47%</td> </tr> <tr> <td>65 - 74</td> <td>14,455 – 4.71%</td> </tr> <tr> <td>75 and over</td> <td>12,456 – 4.06%</td> </tr> </tbody> </table> <p>Data based on the full year enforcement statistics for GLC offences for 2017/18 are broken down as follows:</p> <table border="1"> <thead> <tr> <th>Age</th> <th></th> </tr> </thead> <tbody> <tr> <td>18 - 24</td> <td>5 – 5.95%</td> </tr> <tr> <td>25 - 59</td> <td>72 – 85.72%</td> </tr> <tr> <td>60 - 64</td> <td>5 – 5.95%</td> </tr> <tr> <td>65 - 74</td> <td>2 – 2.38%</td> </tr> <tr> <td>75 and over</td> <td>0 – 0%</td> </tr> </tbody> </table> <p>The majority of prosecutions are for residents aged 25-59 (85.72%) with 5.95% for residents in both the 18-25 and 60-64 age brackets. The 2011 census showed that 73% of residents are aged 18-64.</p> <p>The percentage prosecuted aged 65-74 (2.38%) and 75 and over is below the borough average. This shows that the current approach does not disproportionately impact on younger or older park visitors.</p>	Age		0 – 17 (N/A)	55,627 – 18.12%	18 - 24	29,240 – 9.52%	25 - 59	184,559 – 60.12%	60 - 64	10,658 – 3.47%	65 - 74	14,455 – 4.71%	75 and over	12,456 – 4.06%	Age		18 - 24	5 – 5.95%	25 - 59	72 – 85.72%	60 - 64	5 – 5.95%	65 - 74	2 – 2.38%	75 and over	0 – 0%
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Disability	Data not collected																										

<p>Gender (sex)</p>	<p>The 2011 Census data for Wandsworth provides the following breakdown by gender:</p> <p>Male 48.42% Female 51.58%</p> <p>Data based on the full year enforcement statistics for GLC offences for 2017/18 are broken down as follows:</p> <p>Male 73 – 86.90% Female 11 – 13.10%</p> <p>The majority of individuals prosecuted are male.</p>																		
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<p>Race/ethnicity</p>	<p>The 2011 Census data for Wandsworth provides the following breakdown by race / ethnicity:</p> <table border="1" data-bbox="459 1133 1279 1344"> <thead> <tr> <th>Race/ethnicity</th> <th></th> </tr> </thead> <tbody> <tr> <td>White</td> <td>71.41%</td> </tr> <tr> <td>Black</td> <td>10.67%</td> </tr> <tr> <td>Asian</td> <td>10.86%</td> </tr> <tr> <td>Other ethnic group</td> <td>7.06%</td> </tr> </tbody> </table> <p>Analysis shows that the majority of prosecutions are of white residents. This is above the borough average according to the 2011 Census.</p> <table border="1" data-bbox="459 1538 1279 1704"> <thead> <tr> <th>Race/ethnicity</th> <th></th> </tr> </thead> <tbody> <tr> <td>White</td> <td>71 – 84.53%</td> </tr> <tr> <td>Black</td> <td>5 – 5.95%</td> </tr> <tr> <td>Asian</td> <td>8 – 9.52%</td> </tr> </tbody> </table>	Race/ethnicity		White	71.41%	Black	10.67%	Asian	10.86%	Other ethnic group	7.06%	Race/ethnicity		White	71 – 84.53%	Black	5 – 5.95%	Asian	8 – 9.52%
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3. Impact.

Protected group	Positive	Negative
Age	<p>The enforcement of byelaws already takes place and ensures that the parks and open spaces to which they apply across the borough, remain safe places for all residents and visitors. The use of FPNs is merely an alternative means through which enforcement can take place.</p> <p>Byelaw abiding residents and visitors will not be affected by these proposals.</p> <p>Wandsworth Byelaw offenders are currently prosecuted through the Magistrates' Court, which can potentially lead to a criminal record. The use of FPN is an alternative means through which enforcement can take place without the potential for a criminal record.</p>	<p>The proposals contained within this EINA will only impact negatively upon those members of the public who choose to breach the Wandsworth Byelaws for parks and open spaces.</p>
Disability	As age	As age
Gender (sex)	As age	As age
Gender reassignment	As age	As age
Marriage and civil partnership	As age	As age
Pregnancy and maternity	As age	As age
Race/ethnicity	As age	As age
Religion and belief, including non belief	As age	As age
Sexual orientation	As age	As age

4. Actions.

Protected group	Analysis	Actions
Age	Analysis by age shows that the current approach does not disproportionately impact on younger residents or older residents. This is likely to be the case under the proposals covered by this EINA.	<p>As the proposal is to alter the way in which the byelaws are enforced, it is important that these changes are clearly communicated to residents and park users. This will be ensured by:</p> <p>Face to face communication by Parks & Events Police Officers with park and open space users.</p> <p>Leaflets carried by Officers that explain the purpose of byelaws and the potential consequences of breaching them.</p> <p>Communication with the relevant Friends Groups and Management Advisory Committees that have been formed as consultative groups for these parks and open spaces.</p> <p>Through relevant web page information and Parks Service newsletters.</p>
Disability	As age	As age
Gender (sex)	Analysis shows that currently the majority of prosecutions are male. This is likely to be the case under the proposals covered by this EINA.	As age
Gender reassignment	As age	As age
Marriage and civil partnership	As age	As age
Pregnancy and maternity	As age	As age
Race/ethnicity	Analysis shows that the majority of prosecutions are of white residents. This is above the borough average according to the 2011 Census. This will be kept	As age

	under review to ensure if the proposals are adopted to ensure BAME residents are not adversely impacted by the proposals.	
Religion and belief, including non belief	As age	As age
Sexual orientation	As age	As age

5. Consultation.

The proposal to introduce FPN for GLC Byelaws for parks and open spaces was consulted upon by London Councils in 2017 and received a positive response.

The proposal to introduce the new Wandsworth Byelaws for parks and open spaces was consulted upon by Wandsworth Council in 2018 and received a positive response.

The proposals contained within this EINA will be consulted upon as part of the process that will be undertaken by London Councils. Any equality considerations raised will be added to this EINA if required and mitigating actions considered.