

Equality Impact Assessment

Service Area: Place, Property and Regeneration

Head of Service: SarahJane MacKenzie Shapland

Lead Officer: Hannah Harrington

Date of Assessment: 17/12/2024

Name of policy/function/project/service area to be assessed:

Proposal to renew a Public Spaces Protection Order for Barnstaple Pannier Market

Brief description of proposal to be assessed: North Devon Council owns and operates Barnstaple Pannier Market, an iconic undercover market situated to the heart of Barnstaple town centre and contributing to the vitality of the town centre economy. The Pannier Market contains a public right of way through the centre of the building, which historically meant that the whole market was permanently accessible at all hours which enabled anti-social behaviour to occur in the market overnight. The Public Spaces Protection Order (PSPO) is one of the powers available to Local Authorities under the Anti-social behaviour, Crime and Policing Act 2014. This legislation enables Local Authorities to introduce a PSPO to an area to deal with a particular nuisance, which is detrimental to the local community's life. It is designed to ensure the majority can use and enjoy public spaces safe from crime and anti-social behaviour.

On 31 January 2022, the Council renewed the existing Public Spaces Protection Order (PSPO) in relation to the Pannier Market which had forbidden a number of activities in the market. In order to ensure compliance with the terms of that order, provision was made for the public highway between Butchers Row and Market Street to be closed from 18:00 hours until 05:00 hours the following day through the operation of barriers. The new proposal includes the recommendation to extend that time period to take effect from 18:00 hours until 07:30 hours. The Anti-Social Behaviour, Crime and Policing Act 2014 provides specifically for situations where a PSPO would restrict a public right of way, as would be the case in the Pannier Market.

Restrictions on the proposed behaviours could potentially have an impact on protected characteristics or other equalities considerations the safeguarding of children and vulnerable adults, mental well-being, community resilience and disability. The impact on all characteristics has been assessed.

Proposed implementation date of project/proposal: 1 February 2025

Brief description of the anticipated outcomes of the proposal:

Proposal	Current Arrangement	Proposed Arrangement	Comment
Public highway through Pannier Market to be closed via use of barriers between the hours of 18:00 and 07:30	Public highway through Pannier Market closed via the use of barriers between the hours of 18:00 and 05:00	Public highway through Pannier Market to be closed via use of barriers between the hours of 18:00 and 07:30	The extension of restricted hours is due to a number of recent ASB incidents in the early morning which has a detrimental impact on the community

Consultation:

The Council has consulted with members of the public, Police, Barnstaple Town Council, market traders and local businesses.

The consultation report is attached (and will be updated prior to Full Council).

Demographic Data by protected characteristic:

Within the North Devon District area the population is: 48.7% Male and 51.3 % Female.

Age: 16.7% aged 15 and under; 4% aged 16 to 19; 31.4% aged 20 to 49; 35.6% aged 50 to 74; 12.3% aged 75 and above

Race: The population of North Devon identifies as: Asian, Asian British, or Asian Welsh 1.2%; Black, Black British, Black Welsh, Caribbean or African 0.3%; Mixed or Multiple ethnic groups 1.2%; White 97%; Other 0.3%

Religion or Belief: According to the 2021 Census, 46.7% stated they were Christian, with 45.1% stating they were not of a specific religion. 6.5% did not answer the question. The remainder (1.7%) include Buddhist, Muslim, Jew, Hindu, Sikh and 'other'.

Sexual orientation (*asked of those over 16): 90.3 % identified as Straight or Heterosexual, 1.1% Gay or Lesbian, 1% Bi-sexual, 0.3% Pansexual or Asexual, 7.4% did not answer.

Gender (*asked of those over 16): 94.1% identified as the same sex as registered at birth. 0.3% identified as a different sex to that registered at birth, 5.6% did not answer.

Disability / Long term health: 72.7 % stated they were not disabled under the Equality Act – with no long term physical or mental health conditions. 11.6 % stated they were disabled under the equality act –with day-to-day activities limited a little. 8 % stated they were disabled under the equality act –with day-to-day activities limited a lot. 7.8 % stated they were disabled under the equality act – having a long term physical or mental health condition but day-to-day activities were not limited.

Impact:

No impact is anticipated from the renewal of the PSPO, including the extension of hours as it does not target any groups of people regarding protected characteristics and all members of the community are treated fairly and equally. To date no groups have been identified as being adversely affected.

Appendix G

Characteristic	Impact	Scale of Impact (High/Med/Low)	Can it be mitigated?
Age	No anticipated impact – all members of the community will be treated fairly and equally regardless of age.	n/a	If necessary additional support mechanisms would be put in place through prevention and education and signposting to relevant services. Young people will be referred into the safeguarding mechanisms and under 18's parents/ guardians spoken to.
Disability: Physical, visual, hearing, learning disabilities, mental health	No anticipated impact - the PSPO will be treated fairly and equally regardless of any disability	n/a	The Council would address disability concern and put additional support measures in place if required through prevention, education and sign posting to relevant agencies
Gender reassignment	No anticipated impact – the PSPO is not gender specific and applies equally to both women and men	n/a	Click or tap here to enter text.n/a
Race	No anticipated impact – members of the public will be treated fairly and equally regardless of race	n/a	n/a

Religion or belief	No anticipated impact – members of the public will be treated fairly and equally regardless of their religious beliefs	n/a	n/a
Sex (gender)	No anticipated impact – members of the public will be treated fairly and equally regardless of gender	n/a	n/a
Sexual Orientation	No anticipated impact – members of the public will be treated fairly and equally regardless of their sexual orientation	n/a	n/a
Other protected groups: pregnancy & maternity, marriage and civil partnership	No anticipated impact – none of the conditions within the PSPO specifically target any other protected group, such as those who are pregnant undertaking maternity leave.	n/a	n/a

Consideration of Alternatives:

There are few alternatives available to prevent the ASB taking place, consideration was given to creating a 'corridor' through the market but that was not supported by the wider public. The Council has ensured that alternative pedestrian routes are readily available.[Click or tap here to enter text.](#)

Funding Considerations:

There are no additional resource requirements associates with renewing the PSPO.

Monitoring Arrangements:

Quarterly reviews will take place, which will assess any data and evaluate what that looks like. Should this highlight any areas of concern or interest we will try to understand what that means and assess what if any actions are required.

Date on which you will be re-considering the project/report and submitting a further EIA if applicable.

The PSPO would be in place for 3 years, during this time the data will be collated to show whether the order is still relevant and of benefit to the community.

Reporting and Publication:

As part of the democratic decision making process, Equality Impact Assessments will be published on North Devon Council's website as an appendix to committee reports.

For Equality Impact Assessments that are produced which are not part of the democratic decision making process, please forward to equality@northdevongov.uk for publication on North Devon Council's website.

Corporate and Community Services Use Only: Date of publication to NDC Website: Click or tap to enter a date.