

Equalities Analysis in Lambeth

Proposal Title *

Increased Fixed Penalty Notice Fees

Author

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Please provide name of lead author and/or those within project team who may be required to contribute to this assessment

Who will sign off the assessment?

Brandon,Ashley

Please indicate who will be involved in approving this assessment. This will need to be signed off by the designated Head of Service or Director

Q1a. What is changing?

The prices of Fixed Penalty Notices for Littering has increased due to legislative change. We are therefore seeking approval for the prices to increase from £80 to £150 for the full amount of the fine and from £50 to £100 for the early payment discount. We are also proposing that we now use the Fixed Penalty powers to enforce against abandoned vehicles which is set at £200.

What is the most significant or key change taking place? Can you indicate the type of change in your response (e.g. policy/decision/strategy/ service/procedural/ geographic/procurement etc.) so it is clear what is being equalities assessed? Why is this change happening? What do you aim to achieve? Can you clearly indicate what decision-makers are being asked to take a decision on?

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Q1b. Who will be involved in approving this decision?

Cabinet members

Who else will be involved in signing-off this decision?

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Q2a. What do we know about the people who will be impacted by this change?

Only people over the age of 18 who offend would be given fine. Fines will be issued on a case by case basis, in line with legislation and policy, as an when someone offends.

What does your information tell you about the people who will affected by this change? Are protected groups impacted? What information do you hold on the protected characteristics of the people affected by the change? (Age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief, gender, sexual orientation, health, socio-economic, language) Are there any gaps or missing information?

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Q2b. How will they be impacted by the change?

There is likely to be an impact on people with low income who offend. All groups will be impacted positively by the change, as this enforcement shapes citizen behavior to encourage consideration for their surroundings and aims to deter people from littering in general. This includes preventing people from spitting and urinating which ensures the environment is cleaner, reduces risk of impact on health and wellbeing for citizens and ensures that the borough is a favourable place to live, work and visit. Enforcement results in better access to street space with less clutter through enforcement of abandoned vehicles. This in turn also reduces crime and other forms of anti-social behavior which is a benefit to all.

Would you assess the impact as positive, adverse, neutral? Do you have any uncertainty about the impact of your proposal? Is there a likelihood that some people will more impacted than others? Can you describe the ways in which they will be affected? How might this change affect our 'general duty'?

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Q3a. How do you plan to promote and deliver any positive impacts of the proposal?

We will do communication exercises with the wider public about the increased fines and also share information on the Council website about the changes in the fines. We will carry out internal communication with staff about smoking around Council buildings and ensure that we as a Council and our staff members adhere to the rules, understand the consequences of littering and lead by example for the rest of the borough.

How might the principles of fairness, equality of opportunity and positive relationships be further promoted as a consequence of this proposal? How do you propose to measure your positive outcomes and the benefits outlined to find out if these have been achieved?

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Q3b How do you plan to address and mitigate any negative impacts of the proposal?

We have our enforcement policy which outlines how and why we undertake enforcement which is very transparent and is in line with government guidelines. We will also ensure that we respond to complaints or queries and provide as much information as possible to demonstrate the approach we take to enforcement and to engender compliance that is fair and consistent through proactive targeted campaigns. These will focus on increasing awareness of legislation around these types of anti-social behavior and environmental crime, as well as explain fine increase and send a clear message that Lambeth has a zero tolerance approach to these offences. With regards to low income families there might be financial impact, however we will engage with them on alternative payment arrangements, which may include extending the period of discounted payment. Enforcement these offences will be lead by reporting to ensure that we're aware of any patterns of behaviour for certain areas, groups and offence types, i.e. in the case of spitting which is an offence under the littering legislation, our enforcement might have an impact in certain areas of the community who do this culturally. If we notice this pattern we will engage with them and advise on impact that this behavior is having on the wider community and provide as much support as possible to reduce the likelihood of offences happening within these community groups.

What impact has this evidence had on what you are proposing? What can you do differently that might lessen the impact on people within the timeframes i.e. development-implementation? Who can help you to develop these solutions?

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Q4. How will you review/evaluate your proposal, mitigating actions and/or benefits? Who will be responsible for this?

We are required to submit annual reports about the number of fines that are issued and the actions we take against unpaid fines. We will analyse the data to evaluate effectiveness and help to deploy staff more strategically and develop awareness campaigns to educate potential offenders on the impact of their actions. This will including making use of data gathered through members enquiries, corporate complaints, FOI requests, general enquiries and prosecution cases, as well as through undertaking benchmarking exercises with neighbouring boroughs and relevant organisations.

Who will you be accountable to for the above actions/outcome? How will those responsible know these actions have worked? What performance indicators will you use to demonstrate this? Are there any other forms of evidence you can use to support this assessment of their effectiveness?

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Section to be completed by Sponsor/Director/Head of Service

Outcome of equality impact assessment

- No adverse impact, no change required
- Low adverse impact, minor adjustment required
- Significant adverse impact, further action required
- Significant impact identified unable to mitigate fully
- Unlawful in/direct discrimination, stop and rethink

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Comments from Sponsor/Director/Head of Service

As mentioned, the changes to pricing for S87 Enviro Crime offences will impact only impact on people who have committed offences, and as mentioned, we will assess the circumstances to ensure that we're offering support to offenders who receive and FPN who are on low income. Similarly, the issuance of FPNs to persons leaving vehicles abandoned on the highway, and publicity and awareness campaigns around all types of offences will improve the cleanliness and general safety of the borough, which will positively impact on our citizens and fully aligns with our ambitions for our borough to be cleaner, greener and safer.

Submit for approval

Submit for approval

Executive Approval

Approved

Attachments

Close