

London Councils' Transport & Environment Committee

Fixed Penalty Levels for GLC Parks Byelaws

Item no: 14

Report by: Jennifer Sibley **Job title:** Principal Policy Officer
Date: 15 June 2017
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Summary:

LB Wandsworth has approached London Councils and requested that TEC set Fixed Penalty Notice (FPN) levels for GLC byelaws relating to parks, so that local authorities can issue FPNs rather than prosecute offenders.

Under Section 17(6) of the London Local Authorities Act 2004, it is the duty of the joint committee, London Councils' Transport and Environment Committee (TEC), to set levels of fixed penalties for byelaws. Consistent with past practice it is proposed that London Councils consult on the levels of the penalty.

This report sets out the background to the request, and includes information about the consultation process proposed.

Recommendations:

The Committee is asked to:

- Agree that London Councils consults on the levels of fixed penalty for breaching the GLC Parks, Gardens and Open Spaces byelaws, as set out at Appendix A;
- Agree that London Councils consults on a fixed penalty level of £80, payable within 28 days and an early payment reduction to £50, if paid within 14 days.

Fixed Penalty Levels for Parks Byelaws

Background

1. Some parks and open spaces in London are covered by GLC (Greater London Council) Parks, Gardens and Open Spaces byelaws. London Councils has been approached by LB Wandsworth which wants to introduce fixed penalty notices in their parks, gardens and open spaces covered by the byelaws.
2. At present, anyone offending against the byelaw can be prosecuted and is liable if convicted to a fine not exceeding level two on the standard scale, currently £500. LB Wandsworth estimates that in 2015/16 the 130 prosecutions it pursued cost £26,000. Prosecution is an expensive and time-consuming enforcement route for boroughs and so LB Wandsworth wish to introduce the option to discharge any liability to conviction by payment of a fixed penalty. Section 15 (1) (b) of the London Local Authorities Act 2004 (LLAA 2004) permits such an option.
3. A full list of GLC Parks, Gardens and Open Spaces byelaws is provided at Appendix A. By way of summary, they include byelaws relating to damage and injury of plants and assets; trespass; erecting buildings and obstructions; restrictions on vehicles and traffic; keeping animals under control and not disturbing wildlife; nuisance behaviours; sale and advertising including plying for hire; disruptions to the peace of others, for example public meetings or playing music; soliciting or gathering money; requiring permission for games and other activities except in places specified by the council; and obstructing officers of the council.

Discussions with other boroughs

4. Following the initial request, London Councils officers have identified a number of other boroughs that would appear to have active GLC byelaws covering their parks and open spaces.
5. This research was undertaken through a desktop study of borough websites, follow up emails, and reviewing the results of a survey undertaken by Parks for London. Officers also attended a meeting of the 'Byelaws Action Group' organised by Parks for London to discuss this piece of work, to give borough officers the opportunity to identify that they were affected.
6. Whilst at the time of creation, 21 boroughs had named parks, gardens and open spaces in the original set of byelaws, over time boroughs have introduced new byelaws to cover many of these spaces and the GLC byelaws have been superseded. To the best of officers' knowledge, only LB Hackney, LB Haringey and RB Kensington and Chelsea continue to have parks covered by the GLC byelaws, and therefore have a particular interest in this process. However, due to local circumstances those boroughs have indicated they are not minded to use FPN powers at this time.

Fixed penalties under London Local Authority (LLA) legislation

7. The GLC Parks, Gardens and Open Spaces byelaws in question were made in 1932 in exercise of the GLC's functions under the open spaces legislation in force at the time. A copy of the full list of byelaws is at Appendix A. They can be treated as byelaws made by the borough council by virtue of Section 98 of the London Government Act 1985 which makes provision for continuity of exercise of functions on abolition of the GLC for the functions which passed from the GLC to successor authorities under the 1985 Act. In particular, Section 98(4) provides that anything done by the GLC before abolition shall have effect as if done by the successor authority so far as is required for its continuing effect. Section 98(5) provides that this applies in particular to byelaws.

8. Sections 15-18 of the London Local Authorities Act 2004 (LLAA 2004) establish the fixed penalty notices provisions for any byelaws made by borough councils under any enactment. As such, TEC can set penalty levels for GLC byelaws in use by borough councils.
9. Given the age of the byelaws, officers have endeavoured to confirm that TEC or any predecessor body has not previously set penalty levels for these byelaws.

Proposed levels of fixed penalty notices for breaching parks byelaws

10. In determining the level of penalty set TEC may take account of:
 - a. any reasonable costs or expected costs incurred or to be incurred in connection with the administration of the provisions of the enactment under which the particular fixed penalty offence is created; and
 - b. the cost or expected cost of enforcing the provisions of the relevant enactment.
11. TEC may set different levels for different areas of Greater London and for different cases or classes of case. This means that TEC could choose to set different levels of penalty for some or all of the byelaws. It also means that on a future occasion a borough not satisfied with the level of penalty set could approach TEC to request a different penalty be set in its area. However, there is no reason to suggest at this stage that different penalty levels should apply in the different boroughs affected.
12. TEC may also wish to consider the ability of people to pay the penalty, and a level that will encourage payment rather than non-payment leading to prosecution.
13. It is proposed that that the level of penalty for breaching any of the Parks, Gardens and Open Spaces byelaws should be in line with similar types of nuisance behaviour as these have similar enforcement costs and in all other respects they are considered appropriate. LB Wandsworth supports this level.
14. The proposal to TEC is that it consults on a penalty level of £80 which a person must be given at least 28 days to pay. It is also proposed that TEC consults on a reduced penalty of £50 which would be payable if paid within 14 days. This would be in line with similar offences given in the table below for littering and graffiti. These penalties are given on-the-spot, and cannot be sent by post or other means. This ensures the recipient knows they have received a FPN and can act accordingly.
15. A table of similar offences relating to those contained in the GLC byelaws that TEC has approved penalties for is given below.

Short name of offence	Legislation	Fixed penalty notice amount and timescales to pay	Early payment amount and timescales	Date TEC set penalties
Bird feeding (specified areas)	Westminster only (byelaw)	£80, 28 days to pay	£50, if paid 14 days	18 June 2015
Flyposting	Town and Country Planning Act 1990 S.224(3), provided for in Schedule 2 of LLAA 2004	£100, 28 days to pay	£60, if paid within 14 days	2 December 2005
Graffiti	S.43 Anti-Social Behaviour Act 2003, amended by S.28 of Clean Neighbourhoods and Environment Act 2005	£80, 14 days to pay		15 June 2006
Litter	S.88(1) Environmental Protection Act 1990, amended by S.19 Clean Neighbourhoods and Environment Act 2005	£80, 14 days to pay		15 June 2006
Anti-social spitting	Enfield only (byelaw)	£80, 28 days to pay	£50, if paid within 14 days	11 December 2014
Unlicensed street trading	London Local Authorities Act 1990, S.38(1), provided for in Schedule 2 of LLAA 2004	£150, 28 days to pay	£90, if paid within 14 days	2 December 2005
Failure to comply with a Public Space Protection Order (Dog Control Orders now Public Space Protection Orders)	Anti-social behaviour, crime and policing Act 2014 S.68(1)	Penalties set by boroughs not TEC. Must not exceed £100.	Boroughs decide this.	N/A
Keeping animals straying or lying on side of highway	Highways Act (1980) S.155(2), FPN provision by Schedule 4 of the London Local	£100, 28 days to pay	£50, if paid within 14 days	27 January 2004

Short name of offence	Legislation	Fixed penalty notice amount and timescales to pay	Early payment amount and timescales	Date TEC set penalties
	Authorities and Transport for London Act 2003			
Failure to comply with notice requiring removal of tree or shrub on the highway	Highways Act (1980) S.141(3) , FPN provision by Schedule 4 of the London Local Authorities and Transport for London Act 2003	£100, 28 days to pay	£50, if paid within 14 days	27 January 2004
Painting or otherwise inscribing or affixing picture etc. upon the surface of a highway or upon a tree, structure or works on or in a highway	Highways Act (1980) S.123(1), FPN provision by Schedule 4 of the London Local Authorities and Transport for London Act 2003	£100, 28 days to pay	£50, if paid within 14 days	27 January 2004

Consultation with boroughs and other stakeholders

16. Consistent with past practice it is proposed that London Councils consults before setting any penalty levels.
17. Previous consultations that TEC has run have been web-based and open for six weeks. Given the nature of parks and open spaces and their summer usage, it is proposed that the consultation runs for all of July and August. Whilst the consultation will be web-based, signage in the relevant parks in LB Wandsworth will be erected identifying the consultation and encouraging respondents to submit their views. London Councils officers will work with officers in LB Wandsworth to arrange this, and any associated costs will be borne by LB Wandsworth.
18. In addition to park users, London Councils will seek views from parks representative groups, interested parties including the police and all London boroughs on the proposed levels of fixed penalties. The results of the consultation exercise will be reported to members at the TEC meeting on 12 October 2017 for a decision on adopting the penalty levels. If a level is agreed this must then be notified to the Secretary of State.
19. If the penalty level is agreed by TEC (and not objected to by the Secretary of State), it becomes available to the other boroughs who have enforceable GLC byelaws should they chose to adopt FPNs for any parks or open spaces where GLC Parks, Gardens and Open Spaces byelaws apply. As such it is important that the consultation regarding penalty levels is London-wide and that all potentially affected boroughs engage with it. This penalty setting exercise does not affect boroughs using other legislation to enforce byelaws.

Recommendations

20. The Committee is asked to:

- Agree that London Councils consults on the levels of fixed penalty for breaching the GLC Parks, Gardens and Open Spaces byelaws, as set out at Appendix A;
- Agree that London Councils consults on a fixed penalty level of £80, payable within 28 days and an early payment reduction to £50, if paid within 14 days.

Financial Implications

21. There are no financial implications to London Councils arising from this report.

Legal Implications

22. These are included in the body of the report.

Equalities Implications

23. LB Wandsworth has produced an Equalities Impact Assessment, which is at Appendix B.

24. London Councils officers have discussed with LB Wandsworth the appropriateness of byelaw six, which relates to trespass by males. Officers have informed us they view this relating to toilet facilities only.

Appendix A – full list of GLC Parks, Gardens and Open Spaces byelaws

GREATER LONDON COUNCIL PARKS, GARDENS AND OPEN SPACES BYELAWS

Definitions

1. In these bye-laws, unless the context otherwise requires: 'Open Space' means any park, garden or open space vested in or under the control of the Council.

Damage and Injury

2. No person shall remove, injure or in any way deface or disfigure any property under the control of the Council in or enclosing any open space, or post thereon, or affix thereto in any way any bill, placard or notice.
3. No person, shall remove, uproot, destroy or injure any tree, shrub or plant, or pluck any flower, bough or leaf, or dig, cut or take any turf, sod, gravel, sod clay or other substance in any open space.
4. No person shall climb on any tree or on or over any gate, fence or railing in or enclosing any open space.
5. No person shall in any open space go upon any land specially enclosed or the entry on which is prohibited by notice or go upon any shrubbery or flowerbed.

Trespass

6. No male person, over the age 14 years shall go or attempt to go into any part of any open space in contravention of any regulation of the Council specified in a notice exhibited on such part reserving such part for the use of female persons and children under the age of 14 years old only.
7. No person shall in any open space willfully break or damage any ice on any pond or lake, or when prohibited by notice go or attempt to go upon any such ice.
8. No person shall, without first obtaining or otherwise than in accordance with the terms of a permit from the Council, camp out on any open space.
9. No person shall wilfully enter into or remain in any open space or any part of any open space during any time appointed for closing the same.
10. No person shall in any open space go or attempt to go into any water closet, urinal or other place of convenience provided for the opposite sex or infringe any regulation of the Council set up therein controlling the use thereof.

Buildings and Obstructions

11. No person shall in any open space, without first obtaining or otherwise than in, accordance with the terms of a permit from the Council, erect or place or retain any

post, rail, fence, photographic stand apparatus, tent, booth, screen, stand, swing or other building, erection or structure or any obstruction of any kind whatever.

Traffic

12. No person shall, except in case of accident or unavoidable cause land in any open space or take off there from in any aircraft, provided that this bye-law shall not apply to the use of members of Air Defence units of such landing or taking off grounds and on such occasions as may be approved by the Council in writing under the hand of its Clerk for purposes of Air Defence exercises.
13. No person shall in any open space, except on roads or other places approved for the purpose by the Council, ride or drive any horse or other beast of draught or burden or any bicycle, tricycle or any vehicle drawn or propelled by any animal or by mechanical power.
14. No person shall in any open space drive any vehicle, bicycle or tricycle or ride any animal at a rate exceeding twelve miles an hour or do so as to endanger the public.
15. Any persons driving any vehicle in any open space shall when called upon to stop by signal or otherwise by an officer of the Council acting in execution of his duty shall stop, and if he refuses or wilfully fails to do so shall be guilty of an offence.
16. No person shall in any open space drive or in any way use any motor vehicle for the purpose of giving or receiving instruction in driving, managing or repairing such vehicle.
17. No person shall leave any mechanically propelled vehicle:
 - a) unattended in any open space, except at such places as are approved by the Council as standing or parking places;
 - b) on any road in any open space after having been requested by a duly authorised officer of the Council or a police constable to remove it.
18. No person shall take or drive on any road in any open space, any public service vehicle or any vehicle, wheelbarrow or truck constructed, designed or used for trade purposes, or any mechanically propelled vehicle bearing a manufacturer's, repairer's or dealer's identification marks or in an unfinished condition.

Horses, Dogs and Other Animals

19. No persons shall in any open space lead from horseback any rider less horse which is not appropriately bridled and rugged or saddled, or so as to endanger the public.
20. No person shall in any open space lunge or break in any horse or other animal.
21. No person shall cause or suffer any dog belonging to him or in his charge for the time being to enter or remain in any open space unless such dog be under proper control and

effectually restrained from injuring, annoying or disturbing any person or animal or from running on any flower bed or injuring any tree, shrub or plant.

22. [Repealed].
23. No person shall, in any part of any open space where a notice stating that all dogs of a particular class or breed must be kept on a lead or muzzle is exhibited, cause or suffer any dog belonging to him or in his charge for the time being to enter or remain therein unless such dog is kept on a lead or is muzzled in accordance with such notice, and no person shall in any part of any open space where a notice prohibiting the admission of dogs is exhibited, cause or suffer any dog belonging to him or in his charge for the time being to enter therein.
24. [Repealed].
25. No person shall turn out to graze or feed or allow or suffer to stray or remain any cattle, sheep, swine, horse, ass, mule, goose, duck, fowl or other animal in any open space without right or without the consent of the Council in writing under the hand of its Clerk.
26. No person shall in any open space willfully disturb any animal grazing or shall harry, ill-treat or injure or destroy any animal, bird or fish or take or attempt to take any animal, bird, fish or egg or set any trap.

Nuisances

27. No person shall in any open space or in lake, pond, fountain or ornamental water therein, deposit or leave any dead animal, offensive litter, house or trade refuse or any turf, sod, gravel, sand, clay or other substance or except in receptacles provided by the Council for the purpose any bottle, tin, container, broken glass or crockery, waste paper or other like article or thing.
28. No person shall willfully break any glass, china or other like thing in any open space.
29. No person shall in any open space sort rags, bones, refuse or matter of like or mend any chair.
30. No person shall in any open space shake or beat any carpet, mat or other thing or place any clothes or other things for the purpose of drying or bleaching.
31. No person shall in any open space, discharge any gun, syringe, squirt, catapult or other instrument, or shall wantonly or recklessly throw or discharge any stone or missile, or make any bonfire or let off any firework.
32. No person shall in any open space, commit any nuisance contrary to public decency or propriety.

33. No person shall in any open space wash any clothes, dog or other animal or thing or do any act likely to cause pollution of the water in any drinking fountain, lake, pond or trough.
34. No person shall in any open space, bet, brawl, fight or use indecent or improper language or designedly do any act which outrages public decency or which comes within the meaning of the 4th Section of the Vagrancy Act 1824 whether the offence be committed with intent to insult any female or not.
35. No person in a verminous or offensively filthy condition shall lie about in any open space or lie upon or occupy any seat therein.

Sale of Articles, Exhibition of Advertisement etc.

36. No person shall in any open space:
 - a) sell, offer for sale, exhibit for sale or distribute any book, pamphlet, leaflet, card, bill, advertisement or literature of any kind whatsoever;
 - b) subject to the foregoing provision sell, offer for sale exhibit for sale or distribute any other article, or let for hire any article or place any stand, chair, or seat for hire or display any advertisement without the consent of the Council in writing under the hand of its Clerk.

Plying for Hire

37. No person shall in any open space ply for hire, or let out any horse or other animal or any vehicle without the consent of the Council in writing under the hand of its Clerk.

Public Meetings

38. No person shall in any open space deliver, utter or read or maintain the right to deliver, utter or read any public speech, lecture, prayer, scripture, sermon or address of any kind or description whatsoever or enter into any public discussion or hold or cause or take part in any public meeting except between sunrise and sunset and on the site or sites, if any, approved by the Council and defined by notice boards and also shown on duplicate plans deposited at the Home Office and with the Clerk of the Council.
39. No person shall in any open space, without the consent of the Council, in writing under the hand of its Clerk, operate, play or make sounds on any musical or other instrument including any gramophone or radio apparatus or without such consent sing any sacred or secular song except on the site or sites mentioned in the preceding bye law.

Soliciting or Gathering Money

40. No person shall in any open space solicit or gather money or other thing except within the limits of the site or sites upon which public meetings are allowed to be held and

without first obtaining or otherwise than in accordance with the terms of a permit from the Council, for which application shall be made in writing at least twenty-one clear days in advance, stating the place in which the collection is proposed to be made, the date proposed for the collection, and the object for which the collection is to be made; provided that a permit shall not be refused if the person applying for the same show to the satisfaction of the Council that the collection will be organised by some well known charitable society and will be for the public good and not to the personal benefit of any individual or individuals.

Games, Drilling, etc.

41. No person shall in any open space, practice gymnastics, play or make preparation to play any game or take part in any sport or entertainment or dance, bathe, fish, use any boat or sail any model yacht without the consent of the Council in writing under the hand of its Clerk except on the parts or places respectively set apart therefore or infringe any regulations of the Council with respect to the use of any such part or place and the conduct of persons using the same or resorting thereto as may be specified in any notice from time to time exhibited on any such part or place.
42. No person shall in any open space infringe any regulation of the Council with respect to the use of apparatus and equipment (including lockers and other conveniences) and the dressing accommodation provided or maintained by the Council for use in connection with rifle ranges, games and recreation or with respect to the use of dressing accommodation, towels, conveniences, Screen, towels, costumes and other things provided or maintained by the Council and necessary or convenient for persons using any open air bath or pool, such regulations being specified in a notice exhibited on the part or places set apart for such rifle ranges, games, recreations, open air baths, or pools, as the case may be.
43. No person shall in any open space drill or practice military evolutions or exercises without the consent of the Council in writing under the hand of the Clerk.
44. No person shall in any open space interfere with, obstruct or annoy any person or persons who are lawfully engaged in pursuance of these bye laws or any general authority or Act of Parliament in military or athletic exercises or in playing or making preparation to play at any lawful game or in playing music or delivering any public address or doing any other act.

Obstructing Officers of the Council etc.

45. No person shall in any open space resist, obstruct or aid or incite any person to resist or obstruct any officer of the Council or other person in the execution of his duty or lawful exercise of his authority.

Offenders, Penalties, etc.

46. Any person (not being an officer of the council acting execution of his duty or other persons acting in lawful exercise of any authority) committing any breach of these bye-laws shall be subject to a penalty and to a further penalty for each day on which such

offences shall continue after written notice of the offence shall have been given by the Council.

47. It shall be lawful for any officer of the Council to exclude or remove from any open space, any person committing any breach of the above bye-laws and all gypsies, hawkers, whether licensed or not, beggars and rogues and vagabonds, and if any such persons, after being told by any officer of the Council not to come into or upon any open space, shall come therein or thereon, or after being told by any officer of the Council to go there from, shall neglect or refuse to go, or having left the place after being told as aforesaid, to go there from or having been removed there from as aforesaid, shall return thereto, such person shall be guilty of any offence against the bye-law and be liable to a penalty.

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	Clare O'Connor, Joanne Shearer & Steve Biggs
Date approved by Policy and Review Manager	30.01.17

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 FPNs is merely an alternative means through which enforcement can take place.

An analysis of the data based on the full year prosecutions for GLC offences for 2015/16 (130 prosecutions) shows that the group most likely to offend and be prosecuted for byelaw offences are white (90.59%) males (81.17%) between the ages of 25-54 (79.49%). This means that any changes are likely to impact most on this group. This EINA will now be consulted on as part of a wider consultation exercise and will be updated to reflect any feedback received.

1. Background

Briefly describe the service/policy or function:

The Council is proposing to introduce Fixed Penalty Notices (FPNs) for the enforcement of GLC Byelaws. These byelaws relate to the proper conduct of users of the largest and most heavily used of Wandsworth's parks and open spaces 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.

GLC Byelaw offenders are currently prosecuted through the Magistrates' Court, which can potentially lead to a criminal record. The areas that are covered by these byelaws are as follows:

- Battersea Park, SW11 (Queenstown).
- Garratt Green, SW17 (Earlsfield).

- Tooting Common, SW17 (Bedford and Furzedown).
- Wandsworth Common, SW18 (Wandsworth Common) and SW11 (Northcote).
- Wandsworth Park, SW15 (Thamesfield).

2. Analysis of need and impact

Protected group	Findings												
Age	<p>Data based on the full year prosecutions for GLC offences for 2015/16 (130 prosecutions) as broken down below:</p> <table border="1"> <thead> <tr> <th>Age</th> <th></th> </tr> </thead> <tbody> <tr> <td>18 - 25</td> <td>6 – 7.69%</td> </tr> <tr> <td>25 - 54</td> <td>62 – 79.49%</td> </tr> <tr> <td>55 - 64</td> <td>8 – 10.26%</td> </tr> <tr> <td>65 - 74</td> <td>2 – 2.56%</td> </tr> <tr> <td>75 and over</td> <td>0 – 0%</td> </tr> </tbody> </table> <p>The majority of prosecutions are for residents aged 25-54 (79%) with 10% for residents aged 55-64. The 2011 census showed that 71% of residents are aged 20-64.</p> <p>No-one under 18 is prosecuted and the percentage prosecuted aged 65-74 (2.56%) is below the borough average. This shows that the current approach does not disproportionately impact on younger residents or older park visitors.</p>	Age		18 - 25	6 – 7.69%	25 - 54	62 – 79.49%	55 - 64	8 – 10.26%	65 - 74	2 – 2.56%	75 and over	0 – 0%
Age													
18 - 25	6 – 7.69%												
25 - 54	62 – 79.49%												
55 - 64	8 – 10.26%												
65 - 74	2 – 2.56%												
75 and over	0 – 0%												
Disability	Data not collected												
Gender (sex)	<p>Male 69 – 81.17%</p> <p>Female 16 – 18.83%</p> <p>The majority of individuals prosecuted are male.</p>												
Gender reassignment	Data not collected												
Marriage and civil partnership	Data not collected												
Pregnancy and maternity	Data not collected												
Race/ethnicity	<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"> <thead> <tr> <th>Race/ethnicity</th> <th></th> </tr> </thead> <tbody> <tr> <td>White</td> <td>77 – 90.59%</td> </tr> <tr> <td>Black</td> <td>6 – 7.06%</td> </tr> <tr> <td>Asian</td> <td>2 – 2.35%</td> </tr> </tbody> </table>	Race/ethnicity		White	77 – 90.59%	Black	6 – 7.06%	Asian	2 – 2.35%				
Race/ethnicity													
White	77 – 90.59%												
Black	6 – 7.06%												
Asian	2 – 2.35%												
Religion and belief, including non belief	Data not collected												
Sexual orientation	Data not collected												

Data gaps.

Data gap(s)	How will this be addressed?

3. Impact

Protected group	Positive	Negative
Age	<p>The enforcement of these 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>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>	<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.</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 under review to ensure if the proposals are adopted to ensure BAME residents are not adversely impacted by the proposals.	As age
Religion and	As age	As age

belief, including non belief		
Sexual orientation	As age	As age

4. Actions

Action	Lead Officer	Deadline
The EINA will be circulated as part of the consultation on the proposals and updated to reflect any additional findings	Joanne Shearer	September 2017

5. Consultation.

The proposals will be consulted upon between June and September. Any equality considerations raised will be added to this EINA and mitigating actions considered.