

**Equality Analysis**

<b>Directorate:</b> Place	<b>Lead Officer:</b> Greg Bickerdike
<b>Service Area:</b> Licensing Service	<b>Date completed:</b> 30 June 2020
<b>Service / Function / Policy / Procedure to be assessed:</b> Pavement Licence Policy	
<b>Is this:</b> New / Proposed <input checked="" type="checkbox"/> Existing/Review <input type="checkbox"/> Changing <input type="checkbox"/>	<b>Review date:</b> Ad-hoc review as required, no review planned as policy is finite (30 September 2021).

**Part A – Initial Equality Analysis to determine if a full Equality Analysis is required.**

**What are the aims and objectives/purpose of this service, function, policy or procedure?**

The Pavement Licence Policy’s purpose is to facilitate socially distanced trade for food and drink businesses without compromising the safe and free movement of pedestrians, especially visually impaired and disabled people.

**Please indicate its relevance to any of the equality duties (below) by selecting Yes or No?**

	Yes	No
Eliminating unlawful discrimination, victimisation and harassment	Yes	
Advancing equality of opportunity	Yes	
Fostering good community relations	Yes	

**PART B: Full Equality Analysis.**

**Step 1 – Identifying outcomes and delivery mechanisms (in relation to what you are assessing)**

<b>What outcomes are sought and for whom?</b>	Ensure that people with mobility or sensory disabilities do not suffer as a result of furniture placed on the highway.
<b>Are there any associated policies, functions, services or procedures?</b>	A-Boards, Tables and Chairs and Goods on the Highway Policy
<b>If partners (including external partners) are involved in delivering the service, who are they?</b>	Food and drink businesses will be the Pavement Licence holders

**Step 2 – What does the information you have collected, or that you have available, tell you?**

**What evidence/data already exists about the service and its users?** (in terms of its impact on the ‘equality strands’, i.e. race, disability, gender, gender re-assignment, age, religion or belief, sexual orientation, maternity/pregnancy, marriage/civil partnership and other socially excluded communities or groups) and **what does the data tell you?** e.g. are there any significant gaps?

There is no evidence to suggest that the existing Tables and Chair Permit regime has resulted in negative outcomes for disabled people, however the Council recognises that lax compliance or licensing could result in negative outcomes. As such, the impact on those with disabilities is considered in every application.

**Has there been any consultation with, or input from, customers / service users or other stakeholders?** If so, with whom, how were they consulted and what did they say? If you haven’t consulted yet and are intending to do so, please list which specific groups or communities you are going to consult with and when.

Each Pavement Licence must undergo public consultation. Where representations are made, the Council must consider them when making a decision.

**Are there any complaints, compliments, satisfaction surveys or customer feedback that could help inform this assessment? If yes, what do these tell you?**

Unfortunately, due to the short notice for implementation of this legislation, there has been insufficient time to collect this information.

**Step 3 – Identifying the negative impact.**

a. **Is there any negative impact on individuals or groups in the community?**

<b>Equality Themes</b>	<b>Positive Impacts</b>	<b>Negative Impacts identified</b>	<b>Solutions (ways in which you could mitigate the negative impact)</b>

<b>Age</b> (including children, young people and older people)	N/A	N/A	N/A
<b>Disability</b> (including carers)	N/A	<p>There is a risk that increased furniture on the highway could inconvenience those with mobility or sensory issues.</p> <p>The guidance accompanying The Business and Planning Bill advises that, “clear routes of access along the highway must be maintained, taking into account the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of Inclusive Mobility”.</p> <p>In turn, section 3.1 of Inclusive Mobility provides, “A clear width of 2000mm allows two wheelchairs to pass one another comfortably. This should be regarded as the minimum under normal circumstances. Where this is not possible because of physical constraints 1500mm could be regarded as the minimum acceptable under most circumstances, giving sufficient space for a wheelchair user and a walker to pass one another. The absolute minimum, where there is an obstacle, should be 1000mm clear space”.</p>	<p>It is a requirement of licence that furniture should not be located on the highway in areas where tactile paving is provided.</p> <p>A requirement of licensing and a standard condition of licence is that a minimum of 1.5 metres from the furniture placed on the highway to the nearest obstruction and/or carriageway must be available to pedestrians on the pavement. Where the highway is restricted to 1.5 metres between the licensable area and an obstruction, this cannot be for more than 6 metres.</p>

<b>Gender</b> (men and women)	N/A	N/A	N/A
<b>Race</b> (including Gypsies & Travelers and Asylum Seekers)	N/A	N/A	N/A
<b>Religion or belief</b> (including people of no religion or belief)	N/A	N/A	N/A
<b>Gender Re-assignment</b> (those that are going or have gone through a transition: male to female or female to male)	N/A	N/A	N/A
<b>Pregnancy and Maternity</b>	N/A	N/A	N/A
<b>Sexual orientation</b> (including gay, lesbian, bisexual and heterosexual)	N/A	N/A	N/A
<b>Marriage and Civil Partnership</b>	N/A	N/A	N/A
<b>Human Rights</b>	N/A	N/A	N/A

**Step 4 – Changes or mitigating actions proposed or adopted**

**Having undertaken the assessment are there any changes necessary to the existing service, policy, function or procedure? What changes or mitigating actions are proposed?**

No changes are proposed, the policy has been developed based on the outcome of the equalities analysis.

### Step 5 – Monitoring

How are you going to monitor the existing service, function, policy or procedure?

Checking of compliance with licence conditions will be operated by Licensing Services.

### Part C - Action Plan

Barrier/s or improvement/s identified	Action Required	Lead Officer	Timescale
A significant minimisation of available highway may cause mobility issues for those in wheelchairs.	Include requirements and conditions of licence to mitigate impact on those with disabilities.	Greg Bickerdike	8 July 2020
Furniture may cover tactile paving, affecting those with sight issues.	Include requirements and conditions of licence to mitigate impact on those with disabilities.	Greg Bickerdike	8 July 2020

### Equality Analysis approved by:

Head of Service: Colin Parr	Date: 30 June 2020
--------------------------------	-----------------------