

## Equality Impact Assessment Pavement Licensing Policy

<b>Service:</b>	<b>Section:</b>	<b>Assessment Author:</b>	<b>Date of Assessment:</b>
Public Protection	Licensing	Briony Appletree	03/09/2020

<b>Name of Policy to be Assessed:</b>	Pavement Licensing Policy
<b>New or Existing Policy?</b>	New

<b>1. Briefly describe the aims, objectives and purpose of the policy</b>	The primary aim of the Policy is to set out how the City Council will administrate applications for Pavement Licences under the Business and Planning Act 2020.
<b>2. Are there any associated objectives of the policy? Please explain.</b>	<ul style="list-style-type: none"> <li>• To ensure that the City Council fulfils its duty to administrate applications for Pavement Licences.</li> <li>• To outline the procedures for ensuring compliance with licences, and for taking enforcement action where required.</li> <li>• To set local conditions, which will apply to all licences granted or deemed granted, to ensure that activity under a Pavement Licence does not adversely impact any individual, group or the local area.</li> </ul>
<b>3. Who is intended to benefit from the policy, and in what way?</b>	The Policy intends to benefit hospitality businesses within the Winchester District which have need or desire for outdoor seating. This is particularly key during the COVID-19 pandemic, as Pavement Licences enable businesses to extend their seating provision, ensure that their diners are socially distanced and offer well-ventilated spaces for customers.
<b>4. What outcomes are wanted from this policy?</b>	The policy supports the following Council Plan outcomes: Vibrant Local Economy, Living Well, Your Services, Your Voice.
<b>5. What factors could contribute/detract from the outcomes?</b>	Change in central Government policies or legislation Reduction or loss of resources
<b>6. Who are the key people in relation to the policy?</b>	Winchester City Council's Licensing Team; City Councillors; Hampshire County Council's Highways Authority; Parish Councils; Hampshire Constabulary's Counter Terrorism Policing Unit; hospitality businesses within the Winchester District; residents of and visitors to the Winchester District.
<b>7. Who implements the policy and who is responsible for the policy?</b>	The Pavement Licensing Policy is implemented by Winchester City Council Licensing Officers, within the Public Protection Service. The Policy is the responsibility of the Service Lead for Public Protection.

<b>8. Could the policy have differential impact on racial groups?</b>		<b>Yes / No</b>	<b>NO</b>
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	<p>The Pavement Licensing Policy has no adverse impact on racial groups. Data regarding applicants' or individuals' race/ethnicity is not collected as part of the application process, and is not a consideration in the consultation or determination of the application.</p> <p>Any public representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's race/ethnicity, will be disregarded as irrelevant.</p>		
<b>9. Could the policy have differential impact due to gender?</b>		<b>Yes / No</b>	<b>NO</b>
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	<p>The Pavement Licensing Policy has no adverse impact due to gender. Data regarding applicants' or individuals' gender is not collected as part of the application process, and is not a consideration in the consultation or determination of the application.</p> <p>Any public representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's gender, will be disregarded as irrelevant.</p>		
<b>10. Could the policy have differential impact due to disability?</b>		<b>Yes / No</b>	<b>YES</b>
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	<p>The Pavement Licensing Policy makes specific reference to ensuring that the needs of people with disabilities are considered through the application and determination processes for Pavement Licences.</p> <p>The legislation requires the City Council to consider the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people when determining applications. It also references the guidelines set out in the Department for Transport's Inclusive Mobility guidance.</p> <p>The Secretary of State has also published a national condition which must apply to all Pavement Licences granted or deemed granted, referencing the need to ensure that clear routes of access along the highway are maintained, taking into account the needs of disabled people.</p>		
<b>11. Could the policy have differential impact due to sexual orientation?</b>		<b>Yes / No</b>	<b>NO</b>
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	<p>The Pavement Licensing Policy has no adverse impact due to sexual orientation. Data regarding applicants' or individuals' sexual orientation is not collected as part of the application process, and is not a consideration in the consultation or determination of the application.</p> <p>Any public representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's sexual orientation, will be disregarded as irrelevant.</p>		
<b>12. Could the policy have differential impact due to age?</b>		<b>Yes / No</b>	<b>YES</b>
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	<p>Applications for Pavement Licences will only be accepted from persons over the age of 18. Applicants are required to declare that they are over the age of 18 when making the application. Any application made by a person under the age of 18 will be rejected.</p>		

<b>this?</b>	Any public representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's age, will be disregarded as irrelevant.
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<b>13. Could the policy have differential impact due to religious belief(s)?</b>	Yes / No	<b>NO</b>
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	The Pavement Licensing Policy has no adverse impact due to religious beliefs. Data regarding applicants' or individuals' religious beliefs is not collected as part of the application process, and is not a consideration in the consultation or determination of the application. Any public representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's religious beliefs, will be disregarded as irrelevant.	

<b>14. Could the adverse impacts identified in section 8-13 create the potential for the policy to discriminate against certain groups?</b>	Yes / No	<b>YES</b>
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	The Pavement Licensing Policy has several references to the importance of ensuring that minimum footway widths and distances required for access by mobility impaired and visually impaired people are maintained. This is a key factor in the determination process for applications.	

<b>15. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?</b>	Yes / No	<b>YES</b>
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	The needs of mobility impaired and visually impaired people are taken into consideration in the determination of all applications; this is to ensure that this group has equal opportunity to safely use footways where there is furniture on the highway.	

Signed (completing officer): BRIONY APPLETREE

Signed (Lead Officer): \_\_\_\_\_

<b>Please list team members and service areas involved in this assessment:</b>
Public Protection Service; Legal Department