

Equality Impact Analysis

Assessment Proforma

EIA
Title:

Pavement Licencing Policy

- 1.0 The public sector equality duty (2011) covers the following eight **protected characteristics**:

Age, disability, ethnicity, religion or belief, sex, sexual orientation, gender reassignment, pregnancy and maternity.

The duty also covers marriage and civil partnership, but only relating to the elimination of unlawful discrimination (see below, 2.0).

- 1.1 SLDC includes “**rurality**” and “**socio-economic disadvantage**” as additional categories in its equality impact assessments. Although socio-economic status and rurality are not recognised protected characteristics under the Equality Act, people on low incomes or in rural isolation are highly likely to be affected by services that are intended to support vulnerable people.
- 2.0 **The General Equality Duty.**
SLDC, in the exercise of its functions, should:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.**
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.**
 - Foster good relations between people who share a protected characteristic and those who do not.**



Step 1

Summarise the subject and expected outcomes of this EIA.

The Business and Planning Act 2020 introduces the right for food and drink businesses to apply for a pavement licence so they can more effectively manage their covid 19 risk and help to support their economic recovery. The district council is the administrator of this licence.

The outcome of this EIA is to demonstrate that the different user groups of our high streets affected by this change have been properly considered.

Who are your main stakeholders and list any engagement undertaken (include surveys, feedback forms, complaints, statistics etc.).

This legislation has been brought about at very short notice and comes into effect immediately giving limited window for consultation.

The Highways authority, Cumbria Police and relevant portfolio holder have been consulted.

The Legislation references the inclusive mobility guidance which must be adhered to in the delivery of this scheme.

Step 2

Equality Action Plan

<p>In providing this service, what are the impacts for the following people?</p> <ol style="list-style-type: none"> 1. Age (young and old) 2. Black and Minority Ethnic 3. Disabled 4. Faith/Belief 5. Sexual Orientation 6. Gender 7. Gender reassignment 8. Pregnancy and maternity 9. Marriage and Civil Partnership 10. Socio-economic disadvantage (including rural deprivation, 'rurality') <p>(See glossary below for definitions)</p>	<p>Positive impacts</p>	<p>Negative impacts</p>	<p>Mitigating actions (to avoid negative impact):</p>	<p>Lead Officer & When</p>	<p>Complete Y/N</p>
<p>3. Disabled</p>		<p>X</p>	<p>The policy states the minimum distances that must be marinated on the pavement. This is consistent with the inclusive mobility guidance.</p> <p>The policy also requires barrier to be erected that meet the relevant standards to assist the blind and partially sighted in navigating these new obstacles</p>	<p>Gareth Candlin 24/07/2020</p>	<p>Y</p>
<p>Groups 1,2,4,5,6,7,8,9,10 should not be negatively or positively impacted by this policy.</p>					

<p>In providing this service, what are the impacts for the following people?</p> <ol style="list-style-type: none"> 1. Age (young and old) 2. Black and Minority Ethnic 3. Disabled 4. Faith/Belief 5. Sexual Orientation 6. Gender 7. Gender reassignment 8. Pregnancy and maternity 9. Marriage and Civil Partnership 10. Socio-economic disadvantage (including rural deprivation, 'rurality') <p>(See glossary below for definitions)</p>	<p>Positive impacts</p>	<p>Negative impacts</p>	<p>Mitigating actions (to avoid negative impact):</p>	<p>Lead Officer & When</p>	<p>Complete Y/N</p>

Step 3

Examples of good equality practice you have put in place (For example, all venues used are accessible for people with mobility, hearing and sight impairments)

All licences will require minimum distances to be maintained in line with the government's inclusive mobility guidance. There are conditions requiring smoke free zones to be clearly marked and delineated by a 2m gap from any areas that allow smoking.

There is the relevant conditions that require the new outside areas to be clearly delineated from the pavement with barriers that meet the relevant requirements to assist the blind and partially sighted in identifying these new obstructions.

The council has a list of equality contacts who can be contacted for consultation or to ask advice. The list is on the intranet under Equality and Diversity. If you need any support when completing this Equality Impact Analysis, please contact the Partnerships and Funding Officer.

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Glossary

Age: This refers to a person having a particular age (for example, 32 year-olds) or being within an age group (for example, 18-30 year-olds).

Civil partnership: Legal recognition of a same-sex couple's relationship. Civil partners must be treated the same as married couples on a range of legal matters.

Disability: A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Includes: Physical/sensory disability, mental health or learning disability.

Gender reassignment: A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.

Maternity: The period after giving birth. It is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.

Race: It refers to a group of people defined by their colour, nationality (including citizenship), ethnic or national origins. Includes, Asian, Black and White minority ethnic groups inc. Eastern Europeans, Irish people and Gypsy Travellers.

Religion or belief: "Religion" means any religion, including a reference to a lack of religion. "Belief" includes religious and philosophical beliefs including lack of belief (for example, Atheism). The category includes Christianity, Islam, Judaism, Hinduism, Buddhism, and non religious beliefs such as Humanism.

Sexual orientation: This is whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Socio-economic disadvantage: This includes people on low incomes, as well as issues around rural and urban deprivation, such as access to services and transport. Rurality should be specifically considered as South Lakeland is defined as 'Rural-80' – this means we have at least 80 percent of our population in rural settlements and larger market towns.