

Stage 1 Equality Impact Assessment – Initial Screening

Assessor(s) Name(s):	Kevin Winchcombe - Principal Licensing Officer Amanda Gregory – Regulatory Services Manager
Directorate:	Planning & Regulatory Services
Date of Completion:	December 2014

Name of Policy/Strategy/Service/Function Proposal

Permissions for the Placing of Tables, Chairs, A-Boards and Other Objects on the Highway Policy

The Aims, Objectives and Expected Outcomes:

To produce and implement a policy to regulate the Placing of Objects on the Highway.

The aim of the Act is to regulate the placing of objects on the highway to ensure they are done so in safe manner.

The revised policy will promote consistency of decision making in relation to street trading. The policy will include information and advice on the application, determination, renewal, enforcement and appeals procedure as well as the four areas for consideration namely:

- Public Safety
- Prevention of Crime and Disorder
- The Prevention of nuisance
- Visual Impact


This is a proposal for a new policy

Key Questions to Consider in Assessing Potential Impact	
Will the policy, strategy, service or council function proposal have a negative impact on any of the protected characteristics or other reasons that are relevant issues for the local community and/or staff?	Yes & No
Has previous consultation identified this issue as important or highlighted negative impact and/or we have created a "legitimate expectation" for consultation to take place? A legitimate expectation may be created when we have consulted on similar issues in the past or if we have ever given an indication that we would consult in such situations	Yes
Do different groups of people within the local community have different needs or experiences in the area this issue relates to?	Yes
Could the aims of these proposals be in conflict with the council's general duty to pay due regard to the need to eliminate discrimination, advance equality of opportunity and to foster good relations between people who share a protected characteristic and people who do not?	No
Will the proposal have a significant effect on how services or a council function/s is/are delivered?	No
Will the proposal have a significant effect on how other organisations operate?	No
Does the proposal involve a significant commitment of resources?	No
Does the proposal relate to an area where there are known inequalities?	No
<p>If you answer Yes to any of these questions, it will be necessary for you to proceed to a full Equality Impact Assessment after you have completed the rest of this initial screening form.</p> <p>If you answer No to all of these questions, please provide appropriate evidence using the table below and complete the evidence considerations box and obtain sign off from your Head of Service.</p>	

Protected Characteristics	Positive	Negative	No impact	Reasons
Age	X	X		<p>The positioning of objects on the highway could hinder the access along pavements for the elderly.</p> <p>The positive impact of this policy will ensure permission is only granted when an object will be positioned safely. Currently this is unregulated which may be resulting in some objects causing a risk to the elderly.</p> <p>There is a negative impact as the policy will still allow the placing of objects; however this is mitigated by the consultation process which will identify any negative issues regarding the request.</p>
Disability	X	X		<p>The positioning of objects on the highway could hinder the access along pavements for the persons with a disability.</p> <p>The positive impact of this policy will ensure permission is only granted when an object will be positioned safely. Currently this is unregulated which may be resulting in some objects causing a risk to persons with a disability.</p> <p>There is a negative impact as the policy will still allow the placing of objects, however this is mitigated by the consultation process which will identify any negative issues regarding the request.</p>
Gender Reassignment			X	The Policy has no specific impact on this characteristic.
Marriage & Civil Partnership			X	The Policy has no specific impact on this characteristic.
Pregnancy & Maternity	X	X		<p>The positioning of objects on the highway could hinder the access along pavements for the persons following within this characteristic.</p> <p>The positive impact of this policy will ensure permission</p>

				<p>is only granted when an object will be positioned safely. Currently this is unregulated which may be resulting in some objects causing a risk to this characteristic.</p> <p>There is an negative impact as the policy will still allow the placing of objects, however this is mitigated by the consultation process which will identify any negative issues regarding the request.</p>
Race			X	The Policy has no specific impact on this characteristic.
Religion / Belief			X	The Policy has no specific impact on this characteristic.
Sex (male/female)			X	The Policy has no specific impact on this characteristic.
Sexual Orientation			X	The Policy has no specific impact on this characteristic.

Are there aspects of the proposal that contribute to or improve the opportunity for equality?	Yes
<p>The Policy will ensure that consistency is applied throughout the process and that any objects are placed in such a way to ensure pedestrians are able to safely move along pavements and footpaths, it will also ensure that the road users will not be adversely affected by the positioning of these objects.</p>	

Evidence Considered During Screening	
<ul style="list-style-type: none"> Comments raised during previous application consultations; 	
Head of Service Sign off:	
Advice sought from Legal Services (Name)	Helen Miles
Date	February 2015

Stage 2 Full Equality Impact Assessment

Assessor(s)Name(s):	Kevin Winchcombe - Licensing Officer Amanda Gregory – Regulatory Services Manager
Directorate:	Planning and Regulatory Services
Date of Completion:	<i>February 2015</i>

Name of Policy/Strategy/Service/Function Proposal

Permissions for the Placing of Tables, Chairs, A-Boards and Other Objects on the Highway Policy

The Aims, Objectives and Expected Outcomes:

The document sets out how the council will deal with the regulation of objects being placed on the highway, including application, determination, renewal, enforcement and appeals. The policy also offers guidance and information for both applicant and decision makers on the areas of consideration to promote a consistent approach.

Aim and objectives:

To ensure that the Isle of Wight Council gives due regard to the provisions of The Highways Act 1980.

Any amendments identified and considered necessary through the review process will only be made after consultation.

Expected outcomes:

The council as the Licensing Authority will only publish and consult on the policy. Further policies will be published on a three yearly basis. A review of the statement will take place on an annual basis to take into account any legislative changes.

- This is a new policy.

Scope of the Equality Impact Assessment

The Policy Review has taken into account the comments raised during a second consultation undertaken specifically on a draft revised policy. 41 comments were received from:

- Agencies
- Businesses
- Business Associations
- Charitable Organisations (Guide Dogs for the Blind)
- Parish & Town Councils
- Members of the public

Analysis and assessment

There were two consultation responses that related to physical disabilities. Both respondents welcomed the introduction of the policy will ensure that objects would be placed safely causing minimal risk to the visually impaired and their assistance dogs.

Data concerning the other protected characteristics was not collected during the consultation process and it is not possible to ascertain any further impact from this data.

The assessment therefore has been based on officer assessment and knowledge.

Recommendations

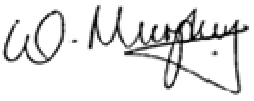
The results of the consultation did provide some additional equality data for consideration in the full assessment.

The impact of the policy can have both a negative and positive effect on certain characteristics; however negative impact can be mitigated through the approval process.

Action/Improvement Plan

Area of impact	Is there evidence of negative positive or no impact?	Could this lead to adverse impact and if so why?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?	Please detail what measures or changes you will put in place to remedy any identified impact (NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)
Age	Negative and Positive	Yes, the placing of objects may be permitted which could potentially impact on those who have mobility problems or visual impairment.	No	The impact can be mitigated as each application will be assessed to ensure the positioning of the proposed object is only permitted in a safe location. This will ensure the safe use of the pavement, footpath or highway.
Disability	Negative and Positive	Yes, the placing of objects may be permitted which could potentially impact on those who have mobility problems, visual impairment or those that use mobility aids.	No	The impact can be mitigated as each application will be assessed to ensure the positioning of the proposed object is only permitted in a safe location. This will ensure the safe use of the pavement, footpath or highway.
Gender Reassignment	No impact	Not Applicable	Not Applicable	
Marriage & Civil Partnership	No impact	Not Applicable	Not Applicable	
Pregnancy & Maternity	Negative and Positive	Yes, the placing of objects may be permitted which could impact on the use of the pavement by those using prams, buggies or walking with a young child.	No	The impact can be mitigated as each application will be assessed to ensure the positioning of the proposed object is only permitted in a safe location. This will ensure the safe use of the pavement,

Area of impact	Is there evidence of negative positive or no impact?	Could this lead to adverse impact and if so why?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?	Please detail what measures or changes you will put in place to remedy any identified impact (NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)
				footpath or highway.
Race	No impact	Not Applicable	Not Applicable	
Religion / Belief	No impact	Not Applicable	Not Applicable	
Sex (male or female)	No impact	Not Applicable	Not Applicable	
Sexual Orientation	No impact	Not Applicable	Not Applicable	
HR & workforce issues	No impact	Not Applicable	Not Applicable	
Human Rights implications if relevant	No impact	Not Applicable	Not Applicable	

Summary	
Date of Assessment:	February 2015
Signed off by Head of Service/Director	
Review date	February 2018
Date published	February 2015