

Equality Impact Assessment (EQIA)

The Equality Impact Assessment (EQIA) form is a template for analysing a policy or proposed decision for its potential effects on individuals with protected characteristics covered by the Equality Act 2010.

The council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

1. Responsibility for the Equality Impact Assessment

Name of proposal:	Setting of fees under Business & Planning Act 2020
Service Area:	Regulatory Services
Officer Completing Assessment:	Daliah Barrett – Licensing Team Leader
Equalities Advisor:	Diptasri Basu
Cabinet meeting date (if applicable):	N/A
Director/Assistant Director	Eubert Malcolm

2. Executive summary

Please complete this section *after* completing the rest of the form and summarise:

- The policy proposal, its aims and objectives, the decision in consideration. Please focus on **the change** that will result from this decision.
- Results of the analysis: potential positive and negative equality impacts
- Mitigations that will be taken to minimise negative equality impacts (if relevant)
- Next steps (this may include: if/when the EQIA will be refreshed, planned consultation, future stages of the project).

The Act is now permanent and is to be used as the main process to enable tables and chairs to be placed on the public highway for businesses in scope. The measures in the Act are designed to support businesses selling food and drink such as cafes, pubs and restaurants by a fast-track process for these businesses to obtain permission, in the form of a “pavement licence”, from the local council for the placement of furniture such as tables and chairs on the pavement outside their premises. This will enable them to maximise their capacity. The Act places a cap of £500 on new application fee and £350 on renewals. It also now includes enforcement and revocation powers so councils can protect public safety and amenity, and introduces an increased consultation period of 28 days overall, bringing it in line with other licensing processes.

The Act requires that there be safe movement on the pavement for disabled and partially sighted people.

If the Council does not determine the licence in time it will be deemed granted. These requirements ensure that businesses can obtain licences in a timely and cost effective manner aiding to their financial recovery.

Pavement Licences are to be administered by the Licensing Authority which has the right to grant or refuse (eg because unreasonably obstructing highway) or add reasonable conditions. The Council may publish its standard conditions and may also impose further conditions where required. The Pavement Licence can be granted for not less than 3 months but up to 2 years max.

If there are problems with the use of the pavement area, then the Licensing Authority can require remedial steps to be taken or revoke the licence. The grant of a New Pavement Licence constitutes deemed planning permission.

The process is prescribed in the legislation and is available to all hospitality type businesses to apply for.

3. Consultation and engagement

3a. How will consultation and/or engagement inform your assessment of the impact of the proposal on protected groups of residents, service users and/or staff? Detail how your approach will facilitate the inclusion of protected groups likely to be impacted by the decision.

Consultation is only undertaken per application submitted. The Act stipulates a 14 day public consultation followed by a further 14 days for the Licensing Authority to determine the application.

3b. Outline the key findings of your consultation / engagement activities once completed, particularly in terms of how this relates to groups that share the protected characteristics

There are broadly two groups impacted by this new legislation – those applying for a license and people in the community impacted by the decisions made.

No equalities data is required or considered being collected from applicants .An online form will be put in place for business to use.

In terms of the impact on the community, the assessment is based on the extent to which the conditions being proposed are able to meet the criteria to safeguard:

- Prevent obstruction of the pavement/ accessibility
- Public health and safety being promoted and risk assessed
- public amenity – ensuring the placing of tables and chairs do not adversely impact the area.

No findings to report. Each application undertake a 28 day overall consultation as prescribed in legislation.

The legislation contains increased consultation timelines and there is no restriction on who can apply or who can submit objections to an application.

Applications under consultation will be placed on the Councils Licensing Consultation page, sent by email to:

- Statutory consultees
- Local Councillors

4. Data and Impact Analysis

Note: officers may want to complement their analysis with data from the State of the Borough and ward profiles, found here: <https://www.haringey.gov.uk/local-democracy/about-council/state-of-the-borough>.

Please consider how the proposed change will affect people with protected characteristics.

4a. Age

Data

Borough Profile¹

- 54,422: 0-17 (21%)
- 71,660: 18-34 (27%)
- 63,930: 35-49 (24%)
- 46,516: 50-64 (18%)
- 27,706: 65+ (10%)

Target Population Profile

- 0-17 (XX%)
- 18-34 (XX%)
- 35-49 (XX%)
- 50-64 (XX%)
- 65+ (XX%)

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

[Detail the key data sources (quantitative and qualitative)]

Detail the findings of the data.

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?
- b) Might members of this group be disproportionately affected by this proposal as a result of a need related to their protected characteristic?

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

- There are no known differences for applicants.

Potential negative impact:

Enabling cafés to place furniture and seating on the footway has potential to have a negative impact on accessibility for people whose mobility is affected by age.

This can be reduced /mitigated by including a requirement in the licence conditions to maintain sufficient footway width to ensure safe passage for pedestrians.

4b. Disability

¹ Census, 2021 – [Population and household estimates, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/population-and-household-estimates)

Data

Borough Profile

- Disabled under Equality Act – 13.7%²
 - Day to day activities limited a lot – 6.1%
 - Day to day activities limited a little – 7.5%
- 7.5% of residents people diagnosed with depression³
- 1.7% of residents diagnosed with a severe mental illness⁴
- 0.4% of people in Haringey have a learning disability⁵

Target Population Profile

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

No data

Detail the findings of the data.

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?
- b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

There is no universal definition of disability. Here we use the Census data on long term health problem or disability and self-reported health as a proxies. This shows that 14% of residents have a long term health problem that limits their day to day activity, lower than England but in line with London.

Some individuals are specifically targeted as victims of crime on the basis of prejudice relating to disability. In the year to December 2017 Haringey recorded 14 instances of disability hate crime.

Fear of crime is higher among residents with long-term illnesses and disabilities. Perceptions of safety after dark for these Haringey residents stand at 49% compared to the Haringey average of 69%.

² Census, 2021 – [Disability, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/disabilityandlongtermhealth/briefingsandreports/articles/disability-england-and-wales)

³ NHS Quality Outcomes Framework – [Prevalence of diagnosed depression among GP registered population age 18+](https://www.nhs.uk/quality-improvement/quality-outcomes-framework/prevalence-of-diagnosed-depression-among-gp-registered-population-age-18/)

⁴ NHS Quality Outcomes Framework – [Prevalence of diagnosed mental health diagnosis among GP registered population age 18+](https://www.nhs.uk/quality-improvement/quality-outcomes-framework/prevalence-of-diagnosed-mental-health-diagnosis-among-gp-registered-population-age-18/)

⁵ PHE Learning disability profiles – <https://fingertips.phe.org.uk/learning-disabilities#page/0/gid/1938132702/pat/6/par/E12000007/ati/102/are/E09000014>

More than 19,500 people in Haringey have a physical disability; this equates to approximately 10% of the population aged 16-64

- There are 1,090 people living with a learning disability in Haringey. The prevalence of learning disabilities is similar to the London average and significantly lower than the England average.
- The percentage gap in employment between people with learning difficulties and the overall population is 74% in Haringey (2021/22), an increase from last year and worse than both London (70%) and England (70.2%)

To mitigate the Act requires that Inclusive mobility regulations are adhered to ensure that people with disability and sight impairment are not disadvantaged

There are no known differences for applicants.

Inclusive mobility requirements set in the Act and also in Haringey Conditions. Minimum clear width as set out in legislation is set at 1.8m in Haringey as the minimum required clear space..

Potential negative impact (Disability) Enabling cafés to place furniture and seating on the footway has potential to have a negative impact on accessibility for people whose mobility is affected by a disability

This can be reduced by including a requirement in the licence conditions to maintain sufficient footway width to ensure safe passage for all pedestrians.

4c. Gender Reassignment

Data

Borough Profile⁶

- Gender Identity different from sex registered at birth but no specific identity given – 0.5%
- Trans woman – 0.1%
- Trans man - 0.1%

Target Population Profile

No known issues.

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

As above

Detail the findings of the data.

⁶ Census, 2021 – [Gender identity, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/ethnicityandnationality/bulletins/genderidentityenglandandwales/2021)

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?
- b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

No known issues.

4d. Marriage and Civil Partnership

Note: Only the first part of the equality duty (“*Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act*”) applies to this protected characteristic.

Data

Borough Profile ⁷

- Divorced or formerly in a same-sex civil partnership which is now legally dissolved: (9.9%)
- Married or registered civil partnership: (35.8%)
- Separated (but still legally married or still legally in a same-sex civil partnership): (2.9%)
- Single (never married or never registered a same-sex civil partnership): (45.3%)
- Widowed or surviving partner from a same-sex civil partnership: (6.1%)

Target Population Profile

None

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

None

Detail the findings of the data.

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?

Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?

None

⁷ Census, 2021 – [Marriage and civil partnership status in England and Wales - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

No known issues.

4e. Pregnancy and Maternity

Note⁸:

- Pregnancy is the condition of being pregnant or expecting a baby.
- Maternity refers to the period after the birth and 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, and this includes treating a woman unfavourably because she is breastfeeding.

Data

Borough Profile ⁹

Live Births in Haringey 2021: 3,376

Target Population Profile

None

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

None

Detail the findings of the data.

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?
- b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

No known issues.

4f. Race

⁸ Equality and Human Rights Commission, 2022 – [Pregnancy and maternity discrimination](#).

⁹ Births by Borough (ONS)

In the Equality Act 2010, race can mean ethnic or national origins, which may or may not be the same as a person's current nationality.¹⁰

Data

Borough Profile ¹¹

Arab: 1.0%

- Any other ethnic group: 8.7%

Asian: 8.7%

- Bangladeshi: 1.8%
- Chinese: 1.5%
- Indian: 2.2%
- Pakistani: 0.8%
- Other Asian: 2.4%

Black: 17.6%

- African: 9.4%
- Caribbean: 6.2%
- Other Black: 2.0%

Mixed: 7.0%

- White and Asian: 1.5%
- White and Black African: 1.0%
- White and Black Caribbean: 2.0%
- Other Mixed: 2.5%

White: 57.0% in total

- English/Welsh/Scottish/Norther Irish/British: 31.9%
- Irish: 2.2%
- Gypsy or Irish Traveller: 0.1%
- Roma: 0.8%
- Other White: 22.1%

Target Population Profile

[If known, enter the profile of your target population].

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

[Detail the key data sources (quantitative and qualitative)]

¹⁰ [Race discrimination | Equality and Human Rights Commission \(equalityhumanrights.com\)](https://www.equalityhumanrights.com/en/our-work/anti-discrimination-law/race-discrimination)

¹¹ Census 2021 - [Ethnic group, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/ethnicity/bulletins/census2021)

Detail the findings of the data.

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?
- b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?

[Type answer here].

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

There is a potential negative impact associated with this protected characteristic for people who may be unable to read or understand information provided on the scheme and how to apply, as well as for those stakeholders who may want to respond to a consultation, as published in paper or electronic form.

This can be reduced by including the Authority's accessibility statement within the application forms: this provides an email address and telephone number which people can contact to request the information in another language or format.

Haringey is the 5th most ethnically diverse borough in the country. Over 65% of residents come from non-White British communities, compared to 20% in England and 55% in London.

4g. Religion or belief

Data

Borough Profile ¹²

- Christian: 39%
- Buddhist: 0.9%
- Hindu: 1.3%
- Jewish: 3.6%
- Muslim: 12.6%
- No religion: 31.6%
- Other religion: 2.3%
- Religion not stated: 8.0%
- Sikh: 0.3%

¹² Census, 2021 – [Religion, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk)

Target Population Profile

None

What data will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

None

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

No known issues

4h. Sex

Data

Borough profile ¹³

- Females: (51.8%)
- Males: (48.2%)

Target Population Profile

None

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

None

Detail the findings of the data.

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?
- b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?

None

Potential Impacts

¹³ Census 2021 – [Gender identity: age and sex, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/ethnicityandnationality/bulletins/genderidentityageandsexenglandandwales/2021)

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

There is a relatively equal gender split in Haringey, just over half of the population is female (50.5%), in line with England and London.

There are no known differences for applicants.

4i. Sexual Orientation

Data

Borough profile ¹⁴

- Straight or heterosexual: 83.4%
- Gay or Lesbian: 2.7%
- Bisexual: 2.1%
- All other sexual orientations: 0.8%
- Not answered: 11.0%

Target Population Profile

None

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

None

Detail the findings of the data.

- c) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?
- d) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?

None

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

3.2% of London residents aged 16 or over identified themselves as lesbian, gay or bisexual in 2013. In Haringey this equates to 6,491 residents.

¹⁴ Census, 2021 – [Sexual orientation, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/people-and-population/sexual-orientation)

There are no known differences for applicants.

4j. Socioeconomic Status

Data

Borough profile

Income

- 6.9% of the population of Haringey were claiming unemployment benefit as of April 2023¹⁵
- 19.6% of residents were claiming Universal Credit as of March 2023¹⁶
- 29.3% of jobs in Haringey are paid below the London Living Wage¹⁷

Educational Attainment

- Haringey ranks 25th out of 32 in London for GCSE attainment (% of pupils achieving strong 9-5 pass in English and Maths)¹⁸
- 3.7% of Haringey's working age population had no qualifications as of 2021¹⁹
- 5.0% were qualified to level one only²⁰

Area Deprivation

Haringey is the 4th most deprived in London as measured by the IMD score 2019. The most deprived LSOAs (Lower Super Output Areas, or small neighbourhood areas) are more heavily concentrated in the east of the borough, where more than half of the LSOAs fall into the 20% most deprived in the country.²¹

Target Population Profile

None known

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

None

Detail the findings of the data.

¹⁵ ONS – [ONS Claimant Count](#)

¹⁶ DWP, StatXplore – [Universal Credit statistics, 29 April 2013 to 9 March 2023 - GOV.UK \(www.gov.uk\)](#)

¹⁷ ONS – [Annual Survey of Hours and Earnings \(ASHE\) - Estimates of the number and proportion of employee jobs with hourly pay below the living wage, by work geography, local authority and parliamentary constituency, UK, April 2017 and April 2018 - Office for National Statistics](#)

¹⁸ DfE – [GCSE attainment and progress 8 scores](#)

¹⁹ LG Inform – [Data and reports | LG Inform \(local.gov.uk\)](#)

²⁰ LG Inform – [Data and reports | LG Inform \(local.gov.uk\)](#)

²¹ IMD 2019 – [English indices of deprivation 2019 - GOV.UK \(www.gov.uk\)](#)

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?
- b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?

None

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

No Known issues based on socioeconomic status of residents.

5. Key Impacts Summary

5a. Outline the key findings of your data analysis.

[Type answer here].

5b. Intersectionality

- Many proposals will predominantly impact individuals who have more than one protected characteristic, thereby transforming the impact of the decision.
- This section is about applying a systemic analysis to the impact of the decision and ensuring protected characteristics are not considered in isolation from the individuals who embody them.
- Please consider if there is an impact on one or more of the protected groups? Who are the groups and what is the impact?

Potentially : Age /Disability and Race

People with visual impairments and mobility issues may be negatively impacted as there will be more obstacles and people may need to walk around expanding seating areas. In order to mitigate this impact, the proposal includes well designed barriers (light in colour) which will guide the visually impaired safely around the areas. Barriers could be a trip hazard for the visually impaired if they are not designed with this in mind.

- Specifying a minimum width for public access will ensure that wheelchair users and pushchairs can negotiate the pavements safely
- Specifying that tables and chairs should be sufficiently spaced to enable wheelchair/highchair/pram access will ensure that the pavement licence areas can be used by all.
- Licence holders will be required to remove tables, chairs and other associated structures from the public highway after trading hours.

5c. Data Gaps

Based on your data are there any relevant groups who have not yet been consulted or engaged? Please explain how you will address this

None

6. Overall impact of the policy for the Public Sector Equality Duty

Summarise the key implications of the decision for people with protected characteristics.

In your answer, please consider the following three questions:

- Could the proposal result in any direct/indirect discrimination for any group that shares the relevant protected characteristics?
- Will the proposal help to advance equality of opportunity between groups who share a relevant protected characteristic and those who do not?
- Will the proposal help to foster good relations between groups who share a relevant protected characteristic and those who do not?

The proposal is robust, no major change is required. Each application would be assessed on its immediate surroundings based on consultation responses and licensees would be required to follow specific terms of license on the basis of which they would operate on the pavements. Every application would involve a 28 days consultation period before the decision to grant a license.

The overall impact of the policy will be monitored on an ongoing basis with reference to factors such as responses to licence consultations, feedback received, and site observations by officers. The main findings will be reported to the relevant Client manager as part of regular meetings.

7. Amendments and mitigations

7a. What changes, if any, do you plan to make to your proposal because of the Equality Impact Assessment?

Further information on responding to identified impacts is contained within accompanying EQIA guidance

Please delete Y/N as applicable

No major change to the proposal: the EQIA demonstrates the proposal is robust and there is no foreseeable potential for discrimination or adverse impact. All opportunities to promote equality have been taken and mitigations would be put in place where adverse impacts are identified.

If you have found any inequalities or negative impacts that you are unable to mitigate, please provide a compelling reason below why you are unable to mitigate them Y/N

No known issues

Adjust the proposal: the EQIA identifies potential problems or missed opportunities. Adjust the proposal to remove barriers or better promote equality. Clearly set out below the key adjustments you plan to make to the policy. If there are any adverse impacts you cannot mitigate, please provide a compelling reason below **Y/N**

No known issues

Stop and remove the proposal: the proposal shows actual or potential avoidable adverse impacts on different protected characteristics. The decision maker must not make this decision. **Y/N**

No issues

7b. What specific actions do you plan to take to remove or mitigate any actual or potential negative impact and to further the aims of the Equality Duty?

Action:

Lead officer: Daliah Barrett

Timescale: July 2024

Please outline any areas you have identified where negative impacts will happen because of the proposal, but it is not possible to mitigate them.

Please provide a complete and honest justification on why it is not possible to mitigate the:

No known issues

7. Ongoing monitoring

Summarise the measures you intend to put in place to monitor the equalities impact of the proposal as it is implemented.

- Who will be responsible for the monitoring?
- What the type of data needed is and how often it will be analysed.
- When the policy will be reviewed and what evidence could trigger an early revision
- How to continue to involve relevant groups and communities in the implementation and monitoring of the policy?

The impact will be monitored on an ongoing basis with reference to factors such as responses to licence consultations, feedback received, and site

observations by officers. The main findings will be reported to the relevant Head of Service as part of regular meetings.

Date of EQIA monitoring review:

8. Authorisation

EQIA approved by (Assistant Director/ Director)

[Type answer here].

Date

[Type answer here].

9. Publication

Please ensure the completed EQIA is published in accordance with the Council's policy.

Please contact the Policy & Strategy Team for any feedback on the EQIA process.