



WATFORD
BOROUGH
COUNCIL

Equality Impact Analysis

Title of policy, function or service	Pavement Licence Policy
Lead officer	Jamie Mackenzie
Person completing the EIA	Jamie Mackenzie
Type of policy, function or service:	Existing (reviewed) <input type="checkbox"/> New/Proposed <input checked="" type="checkbox"/>
Version & Date	Version 1.1 06 July 2020

1. Background

Watford Borough Council (The Council) is the licensing authority for placing tables and chairs on the highway at premises serving food and drink. Licences are granted following application to the authority.

The Council has created a Pavement Licence Policy (The Policy) to ensure that decisions on how licences are granted are fair and consistent.

The Policy provides comprehensive information about requirements and restrictions over where, when and how tables and chairs and other associated furniture can be placed on the highway. The Policy provides a starting point for any decision by the authority but it is important to remember that each case must be decided on its own merit.

Watford is a small town geographically. The road layout is historic and many streets are narrow.

There are a number of historic private frontages to shops which do not require any permission for use as table areas.

Where permission is sought, applicants must provide detailed information on the size of the area required, the number of tables and chairs, the types of barriers to be used and they must abide by standard conditions.

2. Focus of the Equality Impact Analysis

This Equality Impact Analysis is focussed on any potential impact of The Policy upon new and existing licence holders, other businesses and residents and visitors to Watford.

3. Engagement and consultation

The Policy has been developed quickly following the introduction of the Business and Planning Bill 2020. Consultation has therefore been limited by time. However, consultation with businesses has still taken place. Consultation with Disability Watford, the town's primary pan-disability charity, has also taken place.

Following these engagement activities a draft policy was written.

Consultation centred on the following issues:

- The size of licensed area that should be permitted
- The type of barrier to a licensed area that is necessary to ensure clear demarcation
- Placing of table and chair in front of adjacent properties that may not be in use
- The amount of clear pavement space that should be available once a licensed area is in use.

Objection to, and refusal of, the grant of a pavement licence can only be made on grounds of obstruction.

It is most likely that obstruction will be caused to some disabled people, people with children in pushchairs or prams, and older people who have difficulty walking or use an aid to walk.

The council is conducting a survey to ascertain people's views on their experience of returning to the town centre. This survey contained demographic questions. Whilst this is currently small sample size, the survey indicates of those responding about their experiences:

- Two thirds (66%) are female
- A third (33%) are ages 45-54 years
- 18% had a disability
- 77% were White British, 13% White non British and 8% Indian

The relatively high number of people going to the town centre with a disability is interesting. It is a higher percentage than responds to other surveys and indicates that the town centre is an important destination for this demographic.

4. What we know about Watford.

Population

The current population of Watford is 96,600 (ONS mid-2019 estimate). This was slightly less than estimated in 2018 (96,800 rounded). The slowing of population growth across the UK (marked by a fall in Watford) is attributed to the lowest number of births for 14 years alongside an increase in emigration and a fall in international immigration.

Watford's population is currently projected to increase to 105,000 by 2025 and 110,300 by 2035, a rise from 2016 of 14.2%. This growth will be a challenge for Watford, given our tight borough boundaries and is recognised within the Council Plan, shaping a number of our commitments and areas for action in the Delivery Plan.

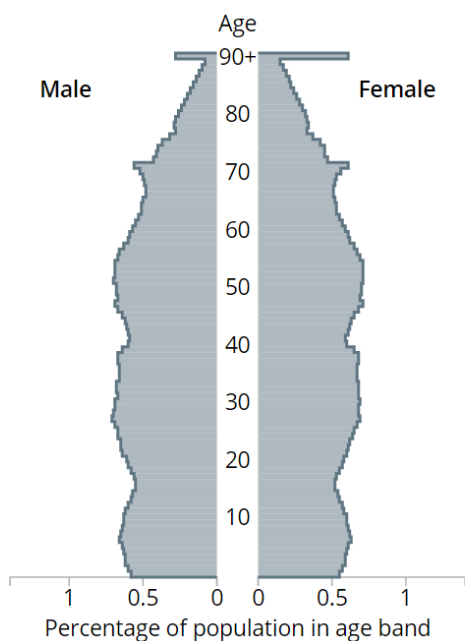
The graphs below show a comparison between the sex and age profile of England's population with that of Watford. (ONS 2018).

ENGLAND

55,977,178 people in 2018

All ages


27,667,942 males 49.4% 
28,309,236 females 50.6% 

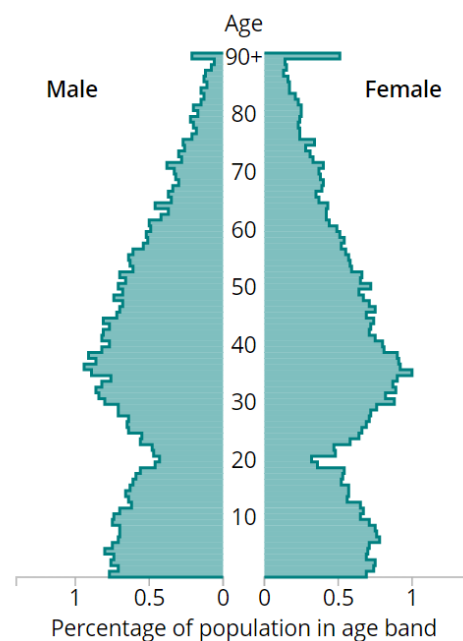


WATFORD

96,767 people in 2018

All ages

48,011 males 49.6% 
48,756 females 50.4% 



Overall, this comparison shows that Watford is a relatively young town. This is particularly the case in the 0 to 19 age range where 26.5% of the population are between those ages, compared with 23.6% nationally. Similarly the 30 to 49 cohort accounts for a significantly higher proportion of the Watford population at 32.1%, compared to 26.1% nationally. This means that we are a town which is popular with families and, whilst we are a town for all, we recognise that our plans need to reflect our large number of young people and families.

Population density

The population density for Watford is circa 4,600 people per square kilometre. This makes it the most densely populated district area in Hertfordshire and in the country (432 per square kilometre). This is a reflection that we are an urban district, with many characteristics of a metropolitan borough. In comparison with many metropolitan boroughs, particularly those in and around the outskirts of London, our density is relatively low.

Ward level populations (mid-year 2018 estimates)

The ONS publishes experimental data on ward level populations. The last release date was for mid-year 2018. This showed Central ward had the highest population (9,447) and Tudor the lowest (6,825). Further analysis shows that Nascot ward had a significantly higher number of elderly residents than other wards in Watford, whilst Central a significantly higher number of under 20s. The age profile of Nascot ward was recently highlighted by the COVID-19 crisis, when it experienced the highest death rate of any ward in Watford.

Ward	Mid-year 2018
Callowland	7,928
Central	9,447
Holywell	8,610
Leggatts	7,757
Meriden	7,972
Nascot	8,815

Ward	Mid-year 2018
Oxhey	6,847
Park	8,698
Stanborough	7,403
Tudor	6,825
Vicarage	8,854
Woodside	7,611

ONS experimental data (Ward Level Mid-Year Population Estimates (experimental), Mid-2018)

Households

Number of households

The ONS data, based on the census, says that there were 36,681 households in Watford at the time of the Census; as of 31 May 2020 the figure was 40,275 (council tax base).

The average household size in Watford is currently 2.45. This is currently average for the region. Nationally, there is downward trend in household size projected over the next 20 years. The Watford average household size is envisaged to drop to 2.33 person household in 2039, which this is larger than that projected for the English average (2.21 in 2039) and the Hertfordshire average (2.29 in 2039). These projections have implications for Watford in terms of development and growth.

Household size

The 2014 projections estimate that, between 2014 and 2039:

- Watford's average household size will decrease from 2.45 to 2.33
- Hertfordshire's average household size will decrease from 2.42 to 2.29
- England's average household size will decrease from 2.35 to 2.21

Household Composition

From the 2016 projections, one person households see the biggest increase in household growth in Watford, representing 44% of the total household growth.

However, households with dependent children see the next biggest rise, with 35% of household growth; couples with other adults make up 9%; other (multi-person adult) households make up 7% and couple households (without children or other adults) make up the remaining 6% of all estimated growth.

Ethnicity

Watford has a very diverse population, more so than the rest of Hertfordshire; it is one of the strengths of our town and what makes us such a vibrant and d

For Watford, the Census 2011 shows the following breakdown in terms of ethnicity: White British (61.9%), White other (7.7%), Pakistani (6.7%), British Indian (5.5%) and British other Asian 4.4%).

National insurance registration: Census information is now nearly 10 years old and it is likely that the ethnic profile of the borough has changed during this time. For example, it would not have captured the more recent EU arrivals to the borough (EU2 countries – Romania and Bulgaria, who

were given residency rights in 2014). We know from other data such as National Insurance Registration that Watford has experienced a relatively high increase in nationals from the EU2 countries applying for National Insurance registrations as Watford residents. This follows a period of a high number from EU8 countries (including Poland, Latvia, Lithuania) who were given freedom of movement to the UK from 2004. Throughout the period the arrival of new residents from south Asia (e.g. Pakistan / India) has remained relatively constant.

The National Insurance Registrations for January – March 2020 shows there were 2,194 registrations in Watford, of which 640 were from Romania and Bulgaria, 527 from South Asia and 395 from Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden

Language spoken at home: Other data sources, including school language survey on the languages spoken by Watford school children at home, endorse the National Insurance findings that Watford remains a town with a diverse community with English still the predominant language (at around 60%) followed by (in order of self-selection by Watford families): Urdu, Polish, Tamil, Romanian, Gujarati, Pahari, Gujarati and Hindi.

Births and origin of parents: In 2018, nearly 60% (59.6%) of children born to Watford based parents, had one or both parents born outside of the UK, with 42% having both parents born outside of the UK. 52% of new mothers in Watford were born outside of the UK (1397 births in total, with 667 to mothers born in the UK and 730 born outside of the UK. Of these 257 mothers were born in the ‘new’ EU countries – those that had joined since 2004) and 252 in the Middle East and Asia.

Electorate: The electorate on the electoral register (as published on 1 December 2018 was 70,544, with a further 3,642 identified as potential electors. The main ethnicity groups have been identified as:

Ethnicity	2018/19
British	58,329
Romanian	1,842
Polish	1,560
Rep of Ireland	1,289
Indian	1,062
Italian	805
Portuguese	703
Pakistani	652
Sri Lankan	418
Spanish	364
French	337
Bulgarian	215

Age

The largest populations by age band in Watford are:

- 35-39 years (8,537)
- 30-34 years (7,921)
- 40 -44 years (7,458)
- 5 -9 years (7,027)

Compared with other districts in Hertfordshire, Watford has fewer 65+ years residents. The age profile of the borough is more comparable with cities who have younger age profiles and where younger people are attracted by lifestyle opportunities, affordable housing and good transport links.

As a town with a younger population and more families, we know that people with pushchairs and prams will be disadvantaged by tables and chairs being placed on the highway and that the majority of those who use pushchairs or prams are likely to be women.

Median age: the median age in Watford is 37 years. This compares to 40 for England (mid-year 2019 population estimates)

Disability / Health

Around 85% of the population of Watford state that they have 'good health' and just under 14% record a disability. We do not have details as to what these disabilities are but they will include a wide range of physical and mental health disabilities or impairment (Census 2011).

The 2019 NHS Health Profile's summary conclusion is that the health of people in Watford is 'varied' compared with the England average. About 12% (2,300) of children live in low income families – this is an improvement on 2016 (14% / 2,700). Life expectancy for men at 65 is similar to the England average but for women it is significantly worse (2016-18).

The profile also shows that Watford is below average for a number of important health indicators, which may have had some impact on the town's rate of deaths from COVID-19. These include: residents eating the recommended 5 a day portions of fruit and vegetables, over-18s who are obese and physically active adults. All reported cancer screenings were below average for Watford and emergency admissions for falls from the age of 65 plus were worse than for the England average. We know that some disabled people, particularly those who are blind, visually impaired, ambulant disabled or who use a wheelchair are likely to be impacted by tables and chairs placed on the highway.

Religion / belief

The religious breakdown in the Census 2011 of the main religions in Watford was: Christian (54.1%), Muslim (9.8%), Hindu (4.8%), with no religion stated at 21.4%.

Sexual orientation / Transgender

Watford has no specific data on the transgender community within the borough or for the sexual orientation of its community. It is anticipated that these questions will be asked in the Census 2021.

Education and skills

A skilled workforce supports the economic development and employment aspirations for Watford. There has been a mostly increasing trend in educational attainment in Watford over the last few years. Watford's working age population has the fourth highest percentage (44.4%) in Hertfordshire of those with qualifications at NVQ 4 and above (Three Rivers is the highest with 63.5%, St Albans the second highest at 58.5% and East Herts third highest with 45.7%); this is close to the Hertfordshire average of 42% average but higher than the Great Britain average of 40.3%.

83.7% of Watford residents have achieved 5 A*-C or equivalent. This is the better than the England average of 75.6 (Jan – Dec 2019)

Homelessness

Whilst this is not a protected characteristic under the Equality Act 2010, the council recognises that the particular circumstances of people without their own home might be a factor in their taking an active role in our community. We currently have 15 statutory homeless (March 2020) and 153 households in temporary accommodation (March 2020).

Deprivation

The English Indices of Deprivation (IoD) 2019 were published by the Government in September 2019, and updates the previous 2015 Indices, published in September 2015. The Indices of Deprivation measure relative levels of deprivation in 32,844 small areas or neighbourhoods, called Lower-layer Super Output Areas, in England

The IoD2019 is based on 39 separate indicators, organised across seven distinct domains of deprivation which are combined and weighted to calculate the Index of Multiple Deprivation 2019

In the IMD 2019, Watford is ranked 195 out of 317 authorities, putting it in the 7th decile nationally. This means that, overall, Watford is less deprived than half the authorities in England.

Watford is the third most deprived authority in Hertfordshire. (Stevenage and Broxbourne are the most deprived.) However, three Hertfordshire authorities are among the 10% least deprived authorities in England (Three Rivers, East Herts and St Albans).

Overall, Watford is not an area with significant deprivation issues and the majority of the LSOAs within the town are in the bottom 50% of LSOAs nationally for deprivation; the borough's position has improved relative to that of 2015.











The combined deprivation index, which weights income and employment more heavily than the other domains, obscures the more deprived areas in Watford, which are affected by crime, living environment deprivation, health and disability, and education, skills and training deprivation in particular. This is, at least in part, because income and employment deprivation are less of an issue for Watford than for other areas.

The ten most deprived LSOAs in Watford, as ranked in the IMD 2019 are as follows (the ranking for the last IMD data in 2015 is shown in brackets in the first column). Deprivation has also been identified as an indicator for poorer COVID-19 outcomes so understanding our areas of deprivation, particularly if we apply greater granularity around health and income deprivation. The LSOA, which contains some of Whippendell Road, Chester Road and Durban Road West is within the second most deprived health and disability quartile does not feature in the top 10 most deprived LSOAs

Watford rank	Ward	LSOA code	Hertfordshire		England	
			Rank	Decile in Herts (1st = most deprived)	Rank	Decile (1st = most deprived)
1 (1)	Central (Water Lane, Gladstone Road, Grosvenor Road, part of Radlett Road, Brockleberry Close, Raphael Drive, top part of Queens Road)	E01023860 (009B)	5 (5)	1st (1st)	5055 (5005)	2nd (2nd)
2 (3)	Holywell (Caractacus Green, part of Charlock Way, Moor View, Jellicoe Road, Stripling Way, Rose Gardens)	E01023865 (011C)	21 (22)	1st (1st)	7239 (7800)	3rd (3rd)
3 (2)	Meriden (Garsmouth Way, Aldbury Close, Harvest End, part of York Way)	E01023876 (003D)	26(19)	1st (1st)	7924 (7590)	3rd (3rd)
4 (4)	Holywell (Ascot Road, Greenhill Crescent, Caxton Way, Croxley View)	E01023866 (011D)	27 (30)	1st (1st)	8294 (9203)	3rd (3rd)
5 (7)	Woodside (Haines Way, Queenswood Crescent, Sheriff Way, Nottingham Close)	E01023906 (001C)	61 (41)	1st (1st)	10719 (10062)	4th (4th)
6 (10)	Oxhey (Deacons Hill, Blackwell Drive, Riverside Road, Eastbury Road, Thorpe Crescent)	E01023883 (012B)	62 (49)	1st (1st)	10758 (10710)	4th (4th)
7 (13)	Callowland (Maude Crescent, St George's Road, Breakspere Close, Nicholas Close)	E01023857 (006C)	67 (56)	1st (1st)	10894 (10812)	4th (4th)
8 (9)	Meriden (Gaddesden Crescent, Bovingdon Crescent, Garston Lane)	E01023877 (003E)	73 (75)	2nd (2nd)	11225 (11837)	4th (4th)
9 (12)	Leggatts (The Harebreaks, Chestnut Walk, Foxhill, Brushrise, Elm Grove)	E01023870 (004C)	78 (52)	2nd (1st)	11515 (10734)	4th (4th)
10 (5)	Stanborough (Clarke Way, Rushton Avenue, Orbital Crescent, Harris Road)	E01023891 (002B)	92 (31)	1st (1st)	11970 (9377)	4th (3rd)

MOSAIC profile

Our MOSAIC profiling of the borough enhances our understanding of our population and provides valuable context for our decision-making as well as underpinning our communications and engagement. It confirms we are a young and diverse borough.

	Mosaic Code	Name	Description	Number of Household	2017 Watford %	2016 Watford %	Difference	Trend	Rank (last year)
1	J40	Career Builders	Singles and couples in their 20s and 30s progressing in their field of work from commutable properties	4,045	12.5%	11.9%	0.6%		1
2	I36	Cultural Comfort	Thriving families with good incomes in multi-cultural urban communities	3,321	10.3%	8.7%	1.6%		2
3	D14	Cafes and Catchments	Affluent families with growing children living in upmarket housing in city environs	2,499	7.7%	8.0%	-0.3%		3
4	D17	Thriving Independence	Well-qualified older singles with incomes from successful professional careers living in good quality housing	2,422	7.5%	5.4%	2.1%		7
5	M56	Solid Economy	Stable families with children renting better quality homes from social landlords	2,172	6.7%	6.4%	0.3%		6
6	J44	Flexible Workforce	Young renters ready to move to follow worthwhile incomes from service sector jobs	1,954	6.0%	7.0%	-1.0%		4
7	H35	Primary Ambitions	Forward-thinking younger families who sought affordable homes in good suburbs which they may now be out-growing	1,550	4.8%	6.8%	-2.0%		5
8	B08	Premium Fortunes	Influential families with substantial income established in large, distinctive homes in wealthy enclaves	1,237	3.8%	3.2%	0.6%		10
9	I37	Community Elders	Established older households owning city homes in diverse neighbourhoods	1,128	3.5%	4.1%	-0.6%		8
10	I39	Ageing Access	Older residents owning small inner suburban properties with good access to amenities	1,099	3.4%	3.4%	0.0%		9

Watford's MOSAIC profile (2018)

Key issues identified from our borough profile for our Council Plan 2020-24:

- A young population with a higher proportion of those under 50, which, given the higher proportion of under 20s indicates Watford is a town with a high number of families
- A growing population where there will be more smaller households but where there will still be a need for family homes
- A very diverse population and a town that continues to attract people from across the globe and with a high proportion of BAME residents
- Some underlying health related issues, particularly around preventative health measures and healthy living
- Areas where residents are experiencing less positive outcomes – often as a result of multiple issues but which could be impacting on life chances and opportunities

5. How will the council ensure equality is promoted through the introduction of this policy?

Watford Borough Council is committed to championing equality and embracing diversity across the full range of our services, whether we deliver the service ourselves or through partnership, and in our role as an employer.

To ensure the policy promotes equality WBC has pro-actively sought the views of stakeholders where possible given the extremely short turnaround time of this policy and the necessity to have the policy in place quickly. The final policy proposal presented for information to Cabinet on 6 July 2020 has taken in to account these views.

The Council must ensure that any new policy allows for pedestrians to continue to use the highway in a safe and unencumbered fashion and this is clear is the intention of the law which makes obstruction the only means of objection to the grant of a licence.

The Council must ensure that any new policy allows for independent businesses to survive and to grow to support the local community and Watford as a town.

Accordingly, the council has made the decision to ensure at least 2.5m of pavement space must remain unencumbered in front of any pavement licence areas and this is more than is given in guidance as the minimum distance.

In order to ensure a fair approach to business, where an applicant wishes to apply for a larger pavement licence space, this will be considered up to a maximum of allowing 2m clear pavement space, if social distancing allows, and will be subject to further scrutiny to ensure the highway is not obstructed.

Under the Equality Act 2010, three areas need to be considered when analysing the equality impact of the Corporate Plan:

1. **eliminate** discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
2. **advance** equality of opportunity between people who share a relevant protected characteristic and people who do not share it
3. **foster** good relations between people who share a relevant protected characteristic and people who do not

A. Positive impacts

- By ensuring the input from the consultations the council is ensuring that opportunities for all those with protected characteristics are advanced in terms of influencing the development of a policy that directly impacts a person's ability to get out and about in Watford.
- By ensuring the maximum clear space is 2.5m the council has gone beyond the minimum distance given in national guidance
- By allowing for flexibility in this approach the council has ensured local businesses can provide services that local people need.
- By ensuring consistency in applications the council has attempted to create navigable 'straight lines' of open highway where pedestrians can feel confident that they do not have to weave in and out of varying and changing pavement licence areas.
- By ensuring that pavement licence holders must use suitable barriers the council has reduced the risk of tables and chairs being a hazard to pedestrians.
- By placing clear conditions on a licence, the council has ensured businesses will be certain about their responsibilities and clear that enforcement action may lead to the loss of the licence if these conditions are breached.

B. Negative impacts

There is likely to be a negative impact on those businesses who cannot afford to buy the correct suitable barriers.

There could be a negative impact on some pedestrians if a licence is granted with only 2m clearance although this is still the limit provided for in guidance.

6. Overall conclusion

Improvements to the ability to regulate barriers more effectively, and to standardise pavement licence areas to ensure consistency in shape standards will lead to positive impacts on pedestrians.

Any decision must weigh any impact, particularly the impact on the population of Watford who are disabled, have age related mobility issues or who use pushchairs and prams against the desired outcomes of improved safety and health gained from outdoor eating at this current time.

Summary of potential positive and negative impacts on protected characteristics

Protected Characteristic	Positive	Negative	None	Reasons for decision
Age	X	X		<p>The new policy takes in to account the needs of an aging population by providing the framework within which a safe and clearly laid out provision can operate.</p> <p>Any placement of tables and chairs on the highway is likely to cause some obstruction to those who have difficulty walking</p>
Disability	X	X		<p>The new policy takes in to account the needs of an aging population by providing the framework within which a safe and clearly laid out provision can operate.</p> <p>The new policy should ensure better barriers are in place to clearly demark the edge of pavement licence areas.</p> <p>The new policy provides greater distance than guidance recommends for two wheelchair users to pass one another.</p> <p>Any placement of tables and chairs on the highway is likely to cause some obstruction to those who have difficulty walking</p> <p>Any placement of tables and chairs on the highway is likely to cause some obstruction to those who are blind or visually impaired.</p> <p>Any placement of tables and chairs on the highway is likely to cause some obstruction to those who use a wheelchair</p>
Ethnicity			X	There is no specific positive or negative impact on ethnicity.
Sex		X		It is likely that the majority of people using prams and pushchairs are female. This means the policy will disproportionately impact women.

Protected Characteristic	Positive	Negative	None	Reasons for decision
Sexual orientation			X	There is no specific positive or negative impact on sexual orientation.
Religion			X	There is no specific positive or negative impact on religion.
Pregnancy/maternity			x	There is no specific positive or negative impact on pregnancy/maternity
Gender orientation			X	There is no specific positive or negative impact on gender orientation.

Summary of potential positive impacts and ways in which they can be ensured

Positive Impact	Protected characteristics	Ways to ensure the positive impact
<p>General increase in reputation of local trade</p> <p>Improvements in vehicle standards</p> <p>Increase in visibility and therefore business and reputation</p> <p>Increase in number of wheelchair accessible hackney carriages</p>	All	Introduction of the new policy

Summary of potential negative impacts and ways in which they can be removed or mitigated

Negative Impact	Protected characteristics	Ways to mitigate the negative impact
<p>Cost of any changes to vehicle requirements to be borne by existing proprietors</p> <p>Changes may deter new proprietors from licensing vehicles.</p> <p>Potential initial reduction in availability of wheelchair accessible vehicles</p>	<p>Ethnicity/sex</p> <p>All</p> <p>Disability</p>	<p>Amend timescales for introduction of some requirements (such as euro 5/6 vehicle emissions standards).</p> <p>Explore possibility of vehicle purchase and lease programs supported by the council, particularly wheelchair accessible vehicles in the first instance.</p>

This EIA has been approved by:

..... **Date**