

Equality impact Assessment

Project Information	
Project Name <i>This should clearly explain what service / policy / strategy / change you are assessing</i>	Pavement Licence Policy
Service Area <i>Main team responsible for the policy, practice, service or function being assessed</i>	Licensing / Regulatory Services
EIA Author <i>Name and Job Title</i>	Matthew Roberts, Team Leader, Development Management
Date EIA drafted	28 September 2026
ID number <i>This will be added by the Strategy and Partnerships Team</i>	

Executive summary	
Focus of EIA <i>A member of the public should have a good understanding of the policy or service and any proposals after reading this section.</i> <i>Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'</i> <i>This section should explain what you are assessing:</i> <i>If the EIA is attached to a report, summarise the report.</i> <i>Provide information on whether any of the following communities could be affected by the policy, practice, service or function, or by how it is delivered?</i> <i>(age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership) in addition, TRDC recognises other communities may be vulnerable to disadvantage, this includes carers, people experiencing domestic abuse, substance misusers, homeless people, looked after children, (ex) armed forces personnel.</i>	The main aims of the Pavement Licence Policy (Policy) is to support the legislation framework pertaining to the determination of pavement licences and enforcement. The principal equality consideration is accessibility. The placement of tables, chairs, barriers, heaters, planters or other furniture associated with the licensed area has the potential to reduce the available footway or create obstacles for pedestrians. This may have a particular impact on disabled people, including wheelchair users and people with mobility, visual or other impairments. Older people and people accompanying young children or using pushchairs may also be affected where pedestrian space is constrained. A pavement licence is required to be submitted to the council, specifically the Licensing Authority (LA), for the placement of temporary furniture on a highway. On receipt of an application, the LA must consult Hertfordshire County Council and the police, but further consultation is undertaken with Environmental Health. The LA can issue licences for up to 2 years. The purpose of the application process is to assess the placement of furniture against the following considerations: - Public health and safety - Public amenity - Accessibility - Other relevant factors When a pavement licence is granted, it is also granted deemed planning permission so there would be no requirement to submit a planning application. Any issues and complaints

	would then fall to the LA. A successful licence application will ensure that the appropriate licence is in place which then enables the LA controls to take action if required, for the purposes of public health, amenity and accessibility. For example, if the placement of table and chairs are not in accordance with the plans approved and are causing accessibility issues with passers by, potentially those with impairment, the LA has the powers to remedy, and as a last resort take enforcement action. The Policy therefore sets out the requirements and objectives of the LA and ensures that businesses can have the desired flexibility but with the necessary controls in place. The Policy has been developed to support officers in their decision making and also to ensure that an appropriate enforcement framework is proportionate and robust. Notwithstanding it is recognised that those with disabilities (visual impaired and those with mobility impairments) and other protected characteristics, such as the elderly, those pregnant, or on maternity leave could also be impacted by the policy. However, the Policy seeks to provide a policy framework to ensure the legislative regime for pavement licences is proportionate and enforceable, i.e. to enable the LA to react if furniture is causing accessibility issues.
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Mitigations		
Protected Characteristic	Potential Issue <i>Against each protected characteristics, make a frank and realistic assessment of what issues may or do occur</i>	Mitigating Actions <i>How can the negative impacts be reduced or avoided by the mitigating measures? Is further engagement with specific communities needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?</i>
Age	Older people may be disproportionately affected by narrowed or obstructed footways.	Conditions to be applied to pavement licences to find an acceptable balance. Add conditions and controls to pavement licences as well as having the ability to take enforcement action when requests to remove or re-sited furniture has not taken place.'
Disability	Our highways including pavements are vital for all users to travel freely to and from places, but are especially sensitive for those with disabilities.	Council to stipulate in policy that a minimum of width of 2m is encouraged between furniture (licensable area) and edge of the kerb, to enable free flow for all highway users.

		Officers to strike acceptable balance, but ensuring that access for vulnerable users is considered at all times. Add conditions and controls to pavement licences as well as having the ability to take enforcement action when requests to remove or re-sited furniture has not taken place.
Gender reassignment (or affirmation)		Enforcement or interactions with licence holders and members of the public to be carried out fairly and consistently, without discrimination or harassment related to gender reassignment.
Pregnancy or maternity	As above, parents with prams are also particularly sensitive to highway furniture, especially those with double buggies.	Council to stipulate in policy that a minimum of width of 2m is encouraged between furniture (licensable area) and edge of the kerb, to enable free flow for all highway users. Officers to strike acceptable balance, but ensuring that access for vulnerable users is considered at all times. Add conditions and controls to pavement licences as well as having the ability to take enforcement action when requests to remove or re-sited furniture has not taken place.
Race		The application, consultation and enforcement processes should be accessible and applied consistently, with consideration of language or communication barriers where relevant.
Religion or belief		Outdoor seating or licensed activities could potentially affect access to premises or public spaces used by particular religious or community groups. The policy should be applied consistently and should not disadvantage people because of their religion or belief.
Sex		Location and operation of licensed pavement areas could potentially affect how safe people feel when using public spaces, particularly where seating, structures or changes to pedestrian routes affect visibility, access or movement. The application and enforcement of the policy should be consistent and should not

		discriminate on the basis of sex.
Sexual Orientation		Implementation and enforcement should be undertaken fairly and consistently, ensuring that applicants, businesses, staff and members of the public are not subject to discrimination or harassment because of sexual orientation.
Marriage and Civil Partnership		Implementation and enforcement should be consistent and non-discriminatory.
The council recognises other communities may be vulnerable to disadvantage, this includes carers, people experiencing domestic abuse, substance misusers, homeless people, looked after children and care leavers, (ex) armed forces personnel.		

Actions Planned	
<i>In this section you can add information on additional or proactive steps you are taking that enhance equity, engagement or equality of access to services, as well as those mitigating actions identified in the section above that will be undertaken.</i> <i>The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.</i> The Pavement Policy is currently in draft form, but it would be subject to a public consultation whereby views would be sought over a 6-week period, with all responses considered and reviewed by officers and agreed by members. Additionally, upon receipt of each pavement licence application, officers would need to consider the proposed location, the dimensions and position of the licensed area, the remaining unobstructed pedestrian route, the nature of surrounding land uses and pedestrian movements, and any representations or objections received as part of the licensing process. This assessment would recognise that the effect of a pavement licence may vary according to the characteristics of the site and the needs of people using the highway. Particular consideration should therefore be given to locations where footways are narrow, pedestrian movements are high, accessible crossing facilities are present, or there is evidence of existing difficulty for disabled pedestrians. Subject to the proposed mitigation and compliance with the conditions of the pavement licence, the council considers that the identified equality impacts can be appropriately managed.	

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Additional Information
<i>Space to provide any additional information in relation to protected characteristics or equity, diversity, equality and inclusion.</i>

Sign off:

Equalities Lead Officer	Date
Shivani Davé	28/09/2026

