

Report

Cabinet Members for Licensing & Regulation

Part 1

Date: 24 November 2021

Subject Pavement Café Licensing Policy-Consultation

Purpose The Cabinet Member for Licensing & Regulation is asked to consider and agree to public consultation on the revised Pavement Café Policy.

Author Alastair Dearling Licensing Manager

Ward City Wide

Summary Alfresco eating is becoming a more widespread aspect of urban life and the presence of tables and chairs on the pavement can make a positive contribution by adding vitality, colour, life, and interest to an area. Newport City Council supports and encourages the provision of pavement cafes in the city as they can help maximise the use of public spaces, aid the local economy, and add to the facilities offered to people who visit, live, and work in Newport. Also, in light of the Covid pandemic, outside areas have become essential for many businesses, who have indicated they wish to continue the use of outside areas post Covid.

Tables and chairs placed on the highway without permission can be illegal as they could amount to an obstruction. However, permission to use the highway for pavement cafes may be granted the Council under Section 115E of the Highways Act 1980. The Current Pavement Café Policy was revised back on 5 April 2017 it is felt than minor variations are required within the Policy to make it more flexible for businesses and particularly those that operate within the Night Time economy, this flexibility is important considering the ongoing city centre redevelopment.

Proposal To Approve Public Consultation of the proposed amendments of Pavement Café Policy.

Action by Head of Law and Regulation

Timetable Immediate

This report was prepared after consultation with:

- Head of Law & Regulation
- Head of Finance
- Head of People and Business Change

Signed

Background

Alfresco eating is becoming a more widespread aspect of urban life and the presence of tables and chairs on the pavement can make a positive contribution by adding vitality, colour, life, and interest to an area. Newport City Council supports and encourages the provision of pavement cafes in the city as they can help maximise the use of public spaces, aid the local economy, and add to the facilities offered to people who visit, live, and work in Newport.

Tables and chairs placed on the highway without permission can be illegal as they could amount to an obstruction. However, permission to use the highway for pavement cafes may be granted the Council under Section 115E of the Highways Act 1980.

Accordingly, whilst the Council wishes to encourage pavement cafes, it is important that they are properly located and managed. This is to ensure they meet the standards expected in Newport and neither obstruct the highway nor create a hazard for pedestrians, especially for blind, partially sighted and other disabled people.

The area to be used must take into account other needs in the immediate vicinity e.g. kerbside parking, bus stops and pedestrian crossings. Pedestrians' needs must be paramount. The expanse of the pavement café must not conflict with any access or dropped crossings that are required for free passage of normal road users. Barriers and tapping rails should be positioned and maintained to the satisfaction of Newport City Council and should be totally removed outside the permitted hours of operation of the café, restaurant or bar.

The pavement café is normally expected to be in an area directly in front of and be visible from the existing premises. Emergency exit routes, including those of adjacent buildings, should not be obstructed by the pavement café and emergency service vehicles must have access along all streets at all times, even in pedestrianised streets.

In general, all parts of the highway may be used for Pavement Cafés, assuming all safety and non-obstruction requirements are met. The exceptions are:

- Any carriageway or 'shared use surface'
- Any highway verge
- Where width of the pavement makes it impractical.
- Where authorised street furniture makes it impossible

Although the existing Pavement Café Licensing Policy has worked very well, the Covid 19 pandemic demonstrated the further importance of outside areas. This has led to the conclusion minor changes are required to the current policy to enhance and compliment the ongoing city centre redevelopment; particularly in relation to the growth in the night time economy and events taking place within the city.

A copy of the draft policy can be found in Appendix A of this report with the minor changes highlighted in **Red**.

A summary of the changes to the Policy are as follows:

- Premises would be permitted to advertise alcoholic products on café barriers, although there remains a prohibition on the advertising of drinks promotions (for example 5 shots for £10). Any advertising of alcoholic products will be required to be approved by the Licensing Authority. Many other the cities in the UK now allow for alcoholic products to be advertised

including Cardiff and Bristol. It is known that café barriers will often be subsidised by a brewery. This reduces purchase and maintenance costs for local businesses.



- The city centre demographics are changing with an increase number of hybrid venues. The draft policy proposes to reflect these types of venues. It allows a business to have multiple plans for their café area. For example, a public house may only wish for small area during the day though may wish to expand its café area at night to facilitate an increase in customers or queuing and smoking areas.
- The hours of operation in the draft policy proposes more flexibility. This is quite pertinent for those premises operating under the Licensing Act 2003 within the city centre. Under the current policy (pre Covid), furniture was required to be removed at 23:00 hours. This can be difficult as many premises lack storage space and when the venues are open will find 'packing up' difficult. Under the draft policy, furniture on licenced premises will be required to be removed at either closing time of the premises or no later than 4:00am. It is vital that both furniture and barriers are removed to ensure efficient cleaning of the streets and roads by Newport City Council. These allowances will allow premises to utilise the outside areas for longer hours. During the Covid period they have done this responsibly, and this allows café culture vibrancy to flourish until early in the morning.
- Amplified live music and recorded music will be permitted in pavement areas though only if approved by the licensing authority. Newport has seen an increase of cultural events taking place within the city centre. Examples include, World Record Day, the Car Club Festival and the Food Festival. When such events take place, under the draft Policy, it would be permissible to hold live and recorded music in the pavement café areas to complement the cultural events.
- Further, in line with Home Office best practice, the Pavement License Holder will need to ensure that the management team of the business to which the pavement license is attached; register and successfully complete the nationally recognised counter terrorism training product referred to as ACT E Learning within 10 days of the notification of the grant of the Pavement License OR can demonstrate that the ACT E Learning product has successfully been completed within the preceding 12 months and that all staff employed by OR at the premises complete the ACT E Learning within a reasonable period not exceeding 3 months from the notification of the grant of the Pavement License.(Act E Learning certificates are provided on successful on-line completion). The course is free and available online <https://ct.highfieldlearning.com>
- Clearly business that operate beyond 23:30/00:00 hours will have slightly different operational needs to a typical quite local pub. Such differences will be reflected on the conditions attached to café pavement licence. As such premises wishing to operate pavement café areas after 23:30 hours will be required to comply with further conditions so as to promote the fundamentals of the Licensing Act 2003.

Financial Summary (Capital and Revenue)

There are no costs or financial implications relating to this proposal. Any fees regarding Pavement café licence would be detailed in a separate report to the Cabinet Member.

	Year 1 (Current) £	Year 2 £	Year 3 £	Ongoing £	Notes including budgets heads affected
Costs (Income)	0	0	0	0	
Net Costs (Savings)	0	0	0	0	
Net Impact on Budget	0	0	0	0	

Risks

Risk Title / Description	Risk Impact score of Risk if it occurs* (H/M/L)	Risk Probability of risk occurring (H/M/L)	Risk Mitigation Action(s) What is the Council doing or what has it done to avoid the risk or reduce its effect?	Risk Owner Officer(s) responsible for dealing with the risk?
The minor changes will have little risk, though longer hours may cause noise issues for local residence or other local business	L	L	The policy is structured in a way that issues arise regarding Noise the Pavement café licence hours can be reduced or in fact the Licence revoked.	Licensing Manager

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Ensuring that this work is completed as required will support the following Council Policies and Strategies:

The proposed minor changes to the policy has clear links to the aims and objectives of Newport City Council's Corporate Plan (relevant themes are "Resilient communities" Vibrate Newport and Safer Newport).

The proposals also demonstrate that the service area is acting in accordance with the "Be Courageous" value outlined in the Corporate Plan: the proposal is ambitious in order to try and improve the situation for the local community.

Ensuring Newport's citizens have better experiences when using their city centre or communities helps the council improve the lives of residents and helps enhance culture and creativity. (Key elements to the Council's Mission within the Corporate Plan)

Options Available and considered

Options 1

To approve the proposed Public Consultation on the revised Pavement Café Policy.

Options 2

Not to approve the proposed public consultation on the revised Pavement Café Policy.

Preferred Option and Why

Options 1

To approve the proposed Public Consultation on the revised Pavement Café Policy.

Comments of Chief Financial Officer

There are no costs or financial implications relating to this proposal. Any fees regarding Pavement café licence would be detailed in a separate report to the Cabinet Member.

Comments of Monitoring Officer

The proposed Pavement Café Licensing Policy is in accordance with the Council's legal powers under section 115E of the Highways Act 1980. The delegated power to grant and approve these licenses has now been transferred to the Head of Law and Regulation, following amendments to the officer scheme of delegation recommended by Democratic Services Committee, on the basis that this regulatory function is similar in nature to the street trading consents that are administered by the Licensing Section. The Council has the power to grant licences to place tables and chairs on the adopted highway, subject to the consent of the frontages, and to attach conditions to the licences which regulate the operation and use of these pavement café areas. The Council also has the power to charge reasonable fees and charges for the grant of these pavement licences, to reflect the cost to the Council of issuing and regulating the licences. The proposed fees and charges being recommended in the policy are considered to be reasonable and a true reflection of these costs. As with the determination of all discretionary licences, the Council has to act reasonably and consistently. Therefore, the proposed policy sets out a clear framework and criteria for the grant of these licences and standard conditions to regulate their use. The draft policy has been subject to consultation and the only adverse comments relate to issues of highway safety and smoking, which are regulated anyway by the unobstructed space criteria and smoking regulations contained or referred to in the licence conditions. The policy is also consistent with the Council's sustainable well-being objectives in relation to the creation of an economic, safe and viable City Centre and should assist with the bid to achieve Purple Flag status.

Comments of Head of People and Business Change

The report takes account of equalities issues and the need to ensure that all pedestrians and particularly those with a disability can maintain their normal path where feasible. The Well-being of Future Generations (Wales) Act 2015 sustainable development principle has been considered in the formulation of the proposal (details below). In particular a two-month public consultation was undertaken to inform the proposed policy. There are no staffing issues arising directly from this report.

Comments of Elected Members

Councillor M Al-Nuaimi:

I agree fully that the Council needs a Pavement Café Licensing Policy to regulate the deployment of and use of outside areas for sitting, drinking and eating. Well designed and managed outside spaces for alfresco eating and drinking can add to the attraction of the city centre, increase footfall and add to the safe feeling for visitors and shoppers. The value of the Al fresco spaces proved to be very valuable during the Covid-19 pandemic and partial lockdowns.

It's vital however that pavement cafes are run and managed so that while preserving the joy and fun for their customers, they do not become a nuisance for neighbouring establishments and residents. Rowdy and noisy behaviour must not be allowed to affect the amenities of other people and especially businesses and residents

Also there should be a regime of cleanliness and the proper dealing with waste, generated by the alfresco eating and drinking activities. Tables and chairs need to be cleaned up, immediately after use and ready for reuse. There's nothing worse than used cups, saucers, glasses and plates left on tables for longer times.

With above comments taken into consideration, I support option 1 to go to consultation.

Scrutiny Committees

N/A.

Fairness and Equality Impact Assessment:

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

A Fairness & Equality Impact Assessment is attached to the report.

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

A 4 week public consultation will take place regarding the revised minor changes to the Pavement Café Policy, the draft policy will be sent to all current licence holders, responsible authorities, Business Improvement Team (BIT) and will be placed in public domain via Council Web site and relevant social media channels

Background Papers

N/A

Appendices

Appendix 1 - FEIA

Appendix 2 - Final Consultation Report

Dated: 11 November 2021

Appendix A Fairness & Equality Impact Assessment.

Fairness and Equalities Impact Assessment (FEIA)

This is an integrated Impact Assessment which aims to ensure Newport City Council makes decisions which are fair, take account of relevant evidence, and seek to secure the best outcomes for our communities. **An FEIA should be used to inform the first steps of decision-making, at concept stage, not when a decision is already made, or at the point when it cannot be influenced.** This impact assessment considers our legislative responsibilities under:

- The Equality Act (2010), including the Socio-economic Duty
- The Wellbeing of Future Generations (Wales) Act (2015)
- The Welsh Language (Wales) Measure (2011)

The FEIA process is not intended to prevent decisions being made, but to ensure we have considered their potential impact. An FEIA also helps us to focus on how we can reduce any negative impacts, and provides us with evidence that we have met our legal duties.

For support to complete your FEIA, please contact the [Connected Communities Team](#)

What do we mean by Fairness?

The Newport Fairness Commission is an independent body which advises the council on the best use of resources and powers to achieve the fairest outcomes for local people. The Fairness Commission has established four **Principles of Fairness** which should be considered as part of any decisions that the council make – the questions below are useful to reflect on before you start your FEIA.

Equity	Are people being treated in a consistent way, whilst acknowledging their differences (for example, need, barriers to accessing services)?
	Will the gap between those with more, and those with less be reduced?
	Have the interests of different groups affected (including minority or disadvantaged communities) been taken into account?
Priority	Have the needs of the most disadvantaged and vulnerable across the city been given priority?
	Have you considered possible indirect consequences for minority/disadvantaged communities when other priorities are directing decisions?
Inclusion	Will the voices of all those affected by your decision be heard?
	Are people able to participate in and shape a service, as well as receiving it?
	Have you considered the impact of your decision on the relationship between communities, and the spaces they share?
Communication	Are decisions being made transparently and consistently?
	How will decisions be communicated to people who are affected in a clear way, with the opportunity for feedback?

Part 1: Identification

Name of person completing the FEIA	Alastair Dearling
Role of person completing the FEIA	Licensing Manager
Date of completion	22/9/21
Head of Service who has approved this FEIA	Gareth Price

1. What is being assessed? *(Please double click on the relevant box(es) (X) and select 'checked' as appropriate)*

- X New or revised policies, practices or procedures (which modify service delivery or employment practices)
- Service review or re-organisation proposals which affect the community and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- Decisions affecting service users, employees or the wider community including (de)commissioning or revising services
- New project proposals affecting staff, communities or access to the built environment
- Public events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Service Boards
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other *please explain in the box below:*

2. Please describe the overall aims, objectives and intended outcomes of your decision

Minor Amendments to Newport City Council Café Pavement Policy:

In light of recent Covid 19 pandemic it has clearly highlighted the importance of outdoor seating for bars, café, restaurants etc. specifically Within the city centre where premises have utilised parts of the highway whilst the roads since the roads have remained closed.

Alfresco eating is becoming a more widespread aspect of urban life and the presence of tables and chairs on the pavement can make a positive contribution by adding vitality colour, life and interest to an area. Newport City Council supports and encourages the provision of pavement cafes in the city as they Can help maximise the use of public spaces, aid the local economy and add to the facilities offered to people who visit, live, and work in Newport.

As stipulated above the Covid pandemic has brought to the forefront the importance of outside pavement café and outside areas have become essential for many business, with many businesses indicating that they wish to continue the use of outside areas post Covid.

Tables and chairs placed on the highway without permission can be illegal as they could amount to an obstruction. However, permission to use the Highway for pavement cafes may be granted the Council under Section 115E of the Highways Act 1980. The Current Pavement Café Policy was revised back on the 5th April 2017 it is felt than minor variations are required within the Policy to make the policy more flexible for businesses specifically the Night Time economy, this flexibility is required in light of City Centre redevelopment and recovery from Covid 19.

3. Who are the main stakeholders who may be impacted by your decision and what data do you hold on them? Consider communities of place (people who live in the same geographic area) and communities of interest (people who share particular characteristics but may live in different geographic areas). Stakeholders may include residents, local businesses, community groups, staff or partners.

- Local Businesses / Premises that currently hold licenses or wish to in future hold licenses
- Local residence that live near to License Premises within the City Centre.
- To consult with our Lead on Equality and diversity, we that visually impaired people throughout the country are facing barriers by some of the measures taking place through social distancing requirements and in Newport we want to make sure our new Policy has as little negative impact on disabled people as possible.
- It is proposed that consultation takes place with all those you current hold a Café Pavement licence alongside a public consultation for a 6 week period/. The Public/Licence Holders users will be invited to make comment of the proposed minor changes and whether they support the changes to the Policy.
- The consultation was publicised using the Council's website, social media channels, direct emails to licence holders. Responsible Authorities including Highway Department, Environmental Health (Noise Team) Planning Gwent Police will also be consulted. We hoped to gain the views of Licence holders, business and local residence.

Part 2: Engagement

When completing this section, you need to consider whether you have sufficient information about the views and experiences of people who your decision will impact upon. If you don't, you may need to undertake a period of engagement/consultation before continuing. An FEIA is a live document, so can be updated with consultation findings, and amended as needed during the decision-making process.

The council has a duty to consult and engage with people who may experience inequalities as a result of your decision. This includes people **who share Protected Characteristics** (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and people who **have lived experience of socio-economic disadvantage**. The council's Youth Promise also requires us to ensure **all young people in Newport are listened to and included in decisions affecting them**.

The council also has a duty to ensure that any consultation is available bilingually (in Welsh as well as English), and you may like to consider any other community languages that are spoken by people who may be impacted by your decision. Below are some questions that should be included in any public consultation relating to a decision which may impact on the use of Welsh language in Newport:

1. Do you believe that the proposed decision/policy will have a positive or negative effect on opportunities to use the Welsh language?
2. If you think it will have a negative effect, what steps could we take to lessen or remove this and improve positive effects?
3. Do you believe that the proposed decision/policy will treat the Welsh language less favourably than the English language?

1. How have you engaged with people who may be affected by your decision (the stakeholders you have identified)?

The Purpose of the report is to go out for public consultation to engage

2. What do you know about the views or experiences of people who may be affected by your decision?

Part 3: Assessment

This section requires you to assess the potential impact of your decision on a range of groups who may experience specific disadvantages. Your assessment should be supported by evidence – either from your own engagement/consultation, similar or previous engagement, what you already know about the people who access your service, or from local and national sources of information.

Useful documents which set out information about how communities are impacted by inequalities include [EHRC – Is Wales Fairer?](#) and the council’s [COVID-19 Community Impact Assessment](#). Your decision may have both positive and negative impacts – if this is the case, please place a cross in both boxes.

1. Impact on people that share Protected Characteristics

[Protected Characteristics](#) are defined under the Equality Act 2010, and describe groups of people who are protected from discrimination, either in the workplace, or through the provision of goods and services. The council must consider how decisions may impact on people differently because of a protected characteristic, and how any negative impact could be reduced. National guidance on assessing equality impacts and the Public Sector Equality Duty can be found [here](#). You can also access further advice and examples of positive and negative impacts [here](#).

Protected characteristic	Impact:			<p>Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:</p> <ol style="list-style-type: none"> Promote equal opportunity across different groups Promote community cohesion Help eliminate unlawful discrimination/ harassment/ victimisation
	Positive	Negative	Neither	
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><i>We know that people of all ages can get very lonely and during Covid 19 people who met regularly for drinks and meals were unable to do this – now hospitality is open, street cafes will give more options for people to share meals again with their friends and families whilst still social distancing. We know that older people are more at risk of Covid 19 and so it’s really important that any establishment is Covid 19 safe and fully risk assessed.</i></p>
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><i>We know that during Covid 19 disabled people have been negatively impacted by many social distancing measures. The Government asked local councils to look at streamlining their license procedures for street cafes, but we have tried to make sure that we don’t make access worse for disabled people and so have written in access requirements in the Policy. In some cases, access has improved for disabled people as the café may be up steps and now it’s on the level outside with waiter service.</i></p>

Protected characteristic	Impact:			<p>Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:</p> <ol style="list-style-type: none"> 1. Promote equal opportunity across different groups 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation
	Positive	Negative	Neither	
Gender Reassignment/Transgender	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	. All premises that are given a license have to comply with the Equality Act and if we find any that are not then we will investigate and remove the license if necessary.
Marriage or civil partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>All premises that are given a license have to comply with the Equality Act and if we find any that are not then we will investigate and remove the license if necessary</i>
Pregnancy or maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All premises that are given a license have to comply with the Equality Act and if we find any that are not then we will investigate and remove the license if necessary – for example refusing to allow a woman to breast feed her baby. We know that some street cafes can get in the way for pushchair route
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	‘All premises that are given a license have to comply with the Equality Act and if we find any that are not then we will investigate and remove the license if necessary We know that Black, Asian and Minority Ethnic communities face a higher risk from Covid 19 and so it’s very important that any establishment is Covid 19 safe – all establishments have to complete risk assessments in line with Government guidance
Religion or Belief or non-belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	. All premises that are given a license have to comply with the Equality Act and if we find any that are not then we will investigate and remove the license if necessary
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All premises that are given a license have to comply with the Equality Act and if we find any that are not then we will investigate and remove the license if necessary.
Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>All premises that are given a license have to comply with the Equality Act and if we find any that are not then we will investigate and remove the license if necessary</i>

2. Impact on Welsh Language

The Welsh Language (Wales) Measure specifies that for all policy decisions, the council must consider the effects (both positive and negative) on the Welsh language. For further guidance on Welsh language considerations see [here](#).

	Impact:			
	Positive	Negative	Neither	
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

1. Please describe how you have ensured your engagement has considered the view of Welsh speakers in Newport.

This strategy will be available to members of the public in Welsh. The public have been able to contribute to the development of the strategy, and will be to future developments of the strategy, through the medium of Welsh.

3. The Sustainable Development Principle

The Well-being of Future Generations Act puts in place a sustainable development principle which helps organisations consider the impact they could have on people living in Wales in the future, and ensure they are focused on tackling long-term challenges. Below, consider how your decision promotes, advances, or contradicts the [5 ways of working](#) which underpin the sustainable development principle. You can access further guidance on considering the sustainable development principle [here](#).

<p>Long term</p> 	<p><i>The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</i></p>	<p>This strategy acknowledges the changing demographics of the City and heightened the need for outdoor space due to Covid 19.</p> <p>The Policy looks to balance the short term requirements of outside pavement café due to Covid but also the long term strategy for businesses to create a vibrant city culture including a café culture.</p>
<p>Prevention</p> 	<p><i>Putting resources into preventing problems occurring or getting worse</i></p>	<p>The Policy builds on the current Policy that has been in place since 2017, we continue to support, listen and work with the interested parties and businesses.</p>
<p>Integration</p> 	<p><i>Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</i></p>	<p>To provide consistency for bodies and individuals who work with licensing or apply for a licence.</p>
<p>Collaboration</p> 	<p><i>Working together to deliver objectives.</i></p>	<p>A key element of this action plan contained within the strategy is the commitment to work in partnership with licence premises, café etc alongside the public, private and voluntary sector across Newport in order to make better use of outside space to ensure for a safe vibrant city</p>
<p>Involvement</p> 	<p><i>Involving those with an interest and seeking their view - ensuring that those people reflect the diversity of the area.</i></p>	<p>Discussions, Engagement and 4 week consultation will take place with not only business, local residents but especially for those who use the city centre.</p>

4. Socio-economic Duty

The [Socio-economic Duty](#) is set out in the Equality Act 2010, and requires the council, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage. Inequalities of outcome are felt most acutely in areas such as health, education, work, living standards, justice and personal security, and participation.

A 'strategic decision' is defined by Welsh Government as a decision **which affects how the council fulfils its statutory purpose over a significant period of time and does not include routine 'day to day' decisions.** Strategic decisions include:

- Corporate plans
- Setting wellbeing, equality and other strategic objectives
- Changes to, or development of public services
- Strategic financial planning
- Strategic policy development

If you do not think your decision meets this definition, and you do not plan on carrying out a Socio-economic Duty Assessment in this section, please provide your rationale below. Any decision which is presented to a Cabinet Member, at Cabinet or Council will be viewed as a strategic decision.

If your decision does meet the definition, please consider the impact of your decision on the socio-economically disadvantaged groups, and areas of inequality that may arise from socio-economic disadvantage contained in the matrix below. The groups listed are not exhaustive and you should consider any additional groups relevant to your decision who may experience socio-economic disadvantage in the following ways:

- **Low Income/Income Poverty** - cannot afford to maintain regular payments such as bills, food, clothing, transport etc.
- **Low and/or no Wealth** - enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provisions for the future
- **Material Deprivation** - unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, hobbies etc.)
- **Area Deprivation** - where you live (rural areas), where you work (accessibility of public transport)
- **Socio-economic Background** – for example, parents' education, employment and income

Indicate a positive or negative impact, or both where they apply, and the severity of this impact by coding the sections of the grid based on the below. *If there is no/neutral impact, please leave blank.*

Negative Impact		Positive Impact	
N1	Negative impact – mild	P1	Positive impact – mild
N2	Negative impact – moderate	P2	Positive impact – moderate
N3	Negative impact – significant	P3	Positive impact – significant
N4	Potential for negative impact (but unsure)	P4	Potential for positive impact (but unsure)

Areas of inequality that may arise from socio-economic disadvantage – definitions
Education :The capability to be knowledgeable, to understand and reason, and to have the skills and opportunity to participate in the labour market and in society
Work : The capability to work in just and favourable conditions, to have the value of your work recognised, even if unpaid, to not be prevented from working and to be free from slavery, forced labour and other forms of exploitation
Living Standards : The capability to enjoy a comfortable standard of living, in appropriate housing, with independence and security, and to be cared for and supported when necessary.
Justice, Personal Security and Community Safety : The capability to avoid premature mortality, live in security, and knowing you will be protected and treated fairly by the law
Health : The capability to be healthy, physically and mentally, being free in matters of sexual relationships and reproduction, and having autonomy over care and treatment and being cared for in the final stages of your life
Participation : The capability to participate in decision making and in communities, access services, know your privacy will be respected, and express yourself

Groups	Areas of inequality						
	Living Standards	Work	Health	Education	Justice and community safety	Participation	Physical Environment
Children living in poverty							
Low income households without dependent children							
Unemployed young people							
Long term unemployed							
Homeless households							
Refugees, migrants and asylum seekers							
Deprived neighbourhoods - WIMD rank in 10% most deprived LSOA							
People on Universal Credit / income related benefits							
Adults with no qualifications or low qualifications							

People living in low quality housing or in Houses of Multiple Occupation							
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1. What evidence do you have about socioeconomic disadvantage and inequalities of outcome in relation to this decision?

Please expand on the information provided in the matrix, giving reasons for your assessment of both positive and negative impacts. You may like to consider your experience of current service delivery, recent engagement or consultation or any national/local research relevant to your policy decision.

For any positive impacts, please indicate the [Wellbeing Goal](#) and/or [Wellbeing Objective](#) that this contributes to as set out in the previous section.

2. Please describe how you have ensured your engagement has considered the views of people living in Newport who are affected by socio-economic disadvantage.

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3. Does this decision contribute to a cumulative impact?

- A. *Consider your decision in the wider context of your service area and the organisation. Is this part of, or does it contribute to, a series of decisions that have negative impacts for the same groups of people, or the same area of Newport (e.g. withdrawal of multiple services).*
- B. *Consider whether your decision has a cumulative impact because of intersectionality – i.e. have you identified impacts on people that share Protected Characteristics who will be further disadvantaged by socio-economic impacts.*

Part 3: Actions and Outcomes

Considering any negative impacts that you have identified, indicate below how you will reduce these, and how you will monitor potential impact. Further guidance on how to complete your action plan can be found [here](#).

IMPACT ON PEOPLE THAT SHARE PROTECTED CHARACTERISTICS			
Summary of impact	Action to reduce negative impact	How this impact will be monitored	Owner

IMPACT ON WELSH LANGUAGE

Summary of impact	Action to reduce negative impact	How this impact will be monitored	Owner
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SOCIO-ECONOMIC IMPACTS

Summary of impact	Action to reduce negative impact	How this impact will be monitored	Owner
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SUSTAINABLE DEVELOPMENT PRINCIPLE

Summary of impact	Action to reduce negative impact	How this impact will be monitored	Owner
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Once your FEIA is complete, please forward to nccequality@newport.gov.uk