



# Equality Screening Template

“Free Printed Matter (Belfast) Designation Order 2012”

Decision to make an Order to Designate areas of Land within Belfast City Council for the Distribution of Free Printed Matter under the Clean Neighborhoods and Environment Act (Northern Ireland) 2011.

## Belfast City Council -Equality Screening Template

The Council has a statutory duty to screen all policies. Please note a policy can be written or unwritten, formal or informal. This includes our strategies, plans, policies, legislative developments; and new ways of working such as – the introduction, change or end of an existing service, grant funding arrangement or facility. Please note a policy can be written or unwritten, formal or informal.

This screening template is designed to help departments consider the likely equality impacts of their proposed decisions on different groups of customers, service users, staff and visitors.

Before carrying out an equality screening exercise it is important that you have received the necessary training. To find out about the training contact – [gilmartins@belfastcity.gov.uk](mailto:gilmartins@belfastcity.gov.uk)

The accompanying [Screening Guidance](#) note provides straightforward advice on how to carry out equality screening exercises. Detailed information about the Section 75 equality duties<sup>1</sup> and what they mean in practice is available on the Equality Commission's website.

The screening template has 4 sections to complete. These are:

**Section A** - asks you to provide details about the policy / decision that is being screened.

**Section B** - has 4 key questions that require you to outline the likely impacts on equality groups, and all supporting evidence.

**Section C** - has 4 key questions in relation to obligations under the Disability Discrimination Order

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<sup>1</sup> ECNI 'Section 75 of the NI Act 1998: A Guide for Public Authorities' April 2010. [www.equalityni.org](http://www.equalityni.org)

**Section D** - is the formal record of the screening decision.

## **Section A**

### **Details about the policy / decision to be screened**

**Title of policy / decision to be screened:-**

“Free Printed Matter (Belfast) Designation Order 2012”

Decision to make an Order to Designate areas of Land within Belfast City Council for the Distribution of Free Printed Matter under the Clean Neighborhoods and Environment Act (Northern Ireland) 2011.

**Brief description of policy / decision to be screened:-**

(Explain - Is this a new, revised or existing policy? Are there financial / legislative / procurement implications?)

This decision relates to the introduction of new legislation to control the volume of free literature and other promotional materials that are distributed in city areas. Implementation of the legislation is based on demand from businesses, local residents and statutory agencies to tackle the significant litter issues in specific areas of the city.

The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 came into force on 1<sup>st</sup> April 2012 and introduced new powers to control the distribution of free printed matter in those areas of the city where there is a history of significant littering problems as a result of leaflet distribution.

Certain Parts of the city experience persistent leafleting. This is a nuisance to the public and one of the main contributing factors behind litter in the city. Currently £12.8 million is spent cleaning the city streets and cleaning heavily leafleted areas places an increased burden on Cleansing resources, significantly contribute to these costs.

The new legislation will apply in two areas that have been designated as consent areas as follows:

- Belfast City Centre; and
- University area

The legislation does not apply to the distribution of free printed matter where it is for political, charitable or religious purposes. Additionally it does not cover printed matter:

- placed inside a building;
- put into a letterbox; and
- or handed out in a public service vehicle as defined in the Road Traffic (Northern Ireland) Order 198.1

**Aims and objectives of the policy / decision to be screened:-**

(What is the policy trying to achieve?)

The aim of the new legislation is to help control the problem caused when leaflets and other materials, distributed free of charge, which are subsequently dropped as litter thus improving the cleanliness and attractiveness of the city.

The legislation will assist Council in managing the amount of free printed matter that can be distributed, by ensuring that anyone who wants to distribute free printed matter has Council's permission. Anyone who applies for permission will be issued with a permit to distribute free printed matter and must comply with the conditions that are attached to the permit. Anyone who hands out free promotional material without a permit can be fined £80.

**On whom will the policy / decision impact?**

Consider the internal and external impacts (both actual or potential)

- Staff
- service users  
eg. entertainment promoters, tour operators, businesses, stall holders
- other public sector organisations
- voluntary / community groups / trade unions
- others, please specify



### **Are there linkages to other Agencies/ Departments?**

There are no direct linkages to other agencies or departments as the legislation is only enforced by Local Government.

## **Section B**

### **1. Outline consultation process achieved or planned**

Following the introduction of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, Council published its intention to designate areas of land for the purpose of controlling how free printed matter was distributed in “City Matters.”

Letters were issued to all businesses that hold an entertainment licence making them aware of Council’s intention to designate the land.

The Act sets out the procedures to be followed when Council intends to designate land. It states:

*(4) “Where a district Council proposes to make an Order under sub-paragraph (1) in respect of any land, it shall-*

- a) *Publish a notice of its proposal in at least one newspaper circulating in an area of the district that includes the land; and*
- b) *Post such a notice on the land.*

*(5) A Notice under sub-section (4) must specify-*

- a) *The land proposed by the designation*
- b) *The date on which it is proposed that the order is to come into force (which shall not be any earlier than the end of a period of 28 days beginning with the day on which the notice is given)*
- c) *The fact that objections may be made to the proposal, how they may be made and the period of at least 14 days beginning with the day on which the notice is given.*

To comply with these requirements, Council published a copy of the notification of the proposal to make an Order in the following four newspapers from 12 to 29 December 2012:

- The Belfast Telegraph;
- The Irish News;
- The Newsletter; and
- The South Belfast News

A copy of the notice was attached to a lamppost in every street within the areas to be designated.

The notice identified that the Order would be effective from 1 May 2013.

Information including details of the proposed scheme and a map outlining the definitive areas affected by the Order was also posted on the Council's website on 12 December 2012 and has remained on the website since that date. Additionally the web site states that further information can be obtained by contacting Belfast City Council, Cleansing Services.

Consultation responses were invited within 14 days of publication of the notice. No responses, comments or objections were received.

Subsequently Belfast City Centre Management provided feedback and recommendations regarding the proposed scheme. These are listed below:

- the inclusion of Donegall Place, Castle Place and College Street in the prohibited streets list;
- clarification around the total number of distributors who will be allowed to operate in a street under a permit at any one time;
- the hours and timeframes within which permits will operate;
- a relaxation of the scheme for public interest groups such as Translink and a lower cost permit for all government agencies to use the cobbled areas in front of the City Hall; and
- that permits are only issued to local business so as to prevent 'out of town' promoters advertising in the city centre.

A written response has been sent to Belfast City Centre Management. This correspondence explained that some of their comments will be considered after the scheme has been operating for a time and in light of operational experience. The correspondence clarified that it was not Council's intention to amend the scheme that was approved by Committee in September 2012 until such time as an operational review was carried out. It is Council's intention to review the scheme after it has been in operation for 1 year.

## **2. Available evidence**

What evidence / information (both qualitative and quantitative) have you gathered to inform this policy? Set out all evidence below to help inform your screening assessment. Please note: It is important to record information gathered from a variety of sources such as:

- Monitoring information
- Complaints
- Research /surveys
- Consultation exercise and other public authorities

<b>Section 75 category</b>	<b>Details of evidence / information and engagement</b>
Religious belief	There has been no issues identified arising from the “Free Printed Matter (Belfast) Designation Order 2012” which would impact on people solely because of their religious belief. Materials which are distributed freely which benefit religious beliefs are exempt from the legislation.
Political opinion	There has been no issues identified arising from the “Free Printed Matter (Belfast) Designation Order 2012” which would impact on people solely because of their political opinion. Materials which are distributed freely which for political purpose are exempt from the legislation.
Racial group	There has been no issues identified arising from the “Free Printed Matter (Belfast) Designation Order 2012” which would impact on people solely because of their racial group.
Age	There has been no issues identified arising from the “Free Printed Matter (Belfast) Designation Order 2012” which would impact on people solely because of their age.
Marital status	There has been no issues identified arising from the “Free Printed Matter (Belfast) Designation Order 2012” which would impact on people solely because of their marital status.
Sexual orientation	There has been no issues identified arising from the “Free Printed Matter (Belfast) Designation Order 2012” which would impact on people solely because of their sexual orientation.
Men & women generally	There has been no issues identified arising from the “Free Printed Matter (Belfast) Designation Order 2012” which would impact on people solely because of their gender.
Disability	There has been no issues identified arising from the “Free Printed Matter (Belfast) Designation Order 2012” which would impact on people solely because of their disability.
Dependants	There has been no issues identified arising from the “Free Printed Matter (Belfast) Designation Order 2012” which would impact on people solely because they of dependant responsibilities.

**3. What is the likely impact (indicate if the policy impact is positive or negative) on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? What is the level of impact?**

Section 75 category	Likely impact?	Level of impact? Minor/Major/None
Religious belief	None. Leaflet distribution in pursuit of religious belief will be exempt under the legislation	None
Political opinion	None.	None
Racial group	None	None
Age	None	None
Marital status	None	None
Sexual orientation	None	None
Men and women generally	None	None
Disability	None	None
Dependants	None	None

**4. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?**

<b>Section 75 category</b>	<b>If Yes, provide details</b>	<b>If No, provide reasons</b>
<b>Religious belief</b>	Council will review and monitor the number of notifications received from religious organisations eligible for exemptions. It will also record the number of complaints and the level of positive/ negative/ neutral feedback received in respect of the new legislation. If necessary the scheme will be reviewed and any necessary amendments implemented. These details will be assessed on an annual basis.	
<b>Political opinion</b>	Council will review and monitor the number of notifications received from political organisations eligible for exemptions. It will also record the number of complaints and the level of positive/ negative/ neutral feedback received in respect of the new legislation. If necessary the scheme will be reviewed and any necessary amendments implemented. These details will be assessed on an annual basis.	
<b>Racial group</b>		Under the new legislation, equality of opportunity is the same for people of different racial groups
<b>Age</b>		Under the new legislation, equality of opportunity is the same for people of different ages
<b>Marital status</b>		Under the new legislation, equality of opportunity is the same for people regardless of their marital status
<b>Sexual orientation</b>		Under the new legislation, equality of opportunity is the same for people regardless of their sexual orientation.
<b>Men and women</b>		Under the new legislation, equality of opportunity is the same for men and

<b>generally</b>		women generally
<b>Disability</b>		Under the new legislation, equality of opportunity is the same for people regardless of disability
<b>Dependants</b>		Under the new legislation, equality of opportunity is the same for people with dependant responsibilities

5. To what extent is the policy likely to impact (positive or negatively) on good relations between people of different religious belief, political opinion or racial group? What is the level of impact?

<b>Good relations category</b>	<b>Likely impact?</b>	<b>Level of impact? Minor/Major/None</b>
<b>Religious belief</b>	None	None
<b>Political opinion</b>	None	None
<b>Racial group</b>	None	None

6. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

<b>Good relations category</b>	<b>If Yes, provide details</b>	<b>If No, provide reasons</b>
Religious belief		Presently no such opportunities have been identified however suggestions would be welcomed

		and considered
Political opinion		Presently no such opportunities have been identified however suggestions would be welcomed and considered
Racial group		Presently no such opportunities have been identified however suggestions would be welcomed and considered

## 7. Multiple Identities

**Provide details of data on the impact of the policy on people with multiple identities.**

**Specify relevant Section 75 categories concerned.**

There are no adverse or positive impacts identified for people with multiple identities.

## Section C

Belfast City Council also has legislative obligations to meet under the [Disability Discrimination Order](#) and Questions 5 -6 relate to these two areas.

### Consideration of Disability Duties

- Does this proposed policy / decision provide an opportunity for the Council to better **promote positive attitudes** towards disabled people?

**Explain your assessment in full**

No.

The new legislation is aimed at enhancing local environmental quality by improving the cleanliness and attractiveness of Belfast City. This will be achieved by reducing the impact of leafleting litter through the distribution of free promotional matter.

6. Does this proposed policy / decision provide an opportunity to actively **increase the participation** by disabled people in public life?

**Explain your assessment in full**

No.

The new legislation is aimed at enhancing local environmental quality for the benefit of everyone living, working or visiting Belfast City together with all businesses, statutory organizations and community and voluntary groups.

## **Monitoring Arrangements**

Section 75 places a requirement the Council to have equality monitoring arrangements in place in order to assess the impact of policies and services etc; and to help identify barriers to fair participation and to better promote equality of opportunity.

Outline what data you will collect in the future in order to monitor the impact of this policy / decision on equality, good relations and disability duties.

<b>Equality</b>	<b>Good Relations</b>	<b>Disability Duties</b>
Monitoring the impact which the implementation of this scheme has in respect of	Monitoring the impact which the implementation of this scheme has in respect of	Monitoring the impact which the implementation of this scheme has in respect of

<p>equality will be measured through baseline statistics regarding:</p> <ul style="list-style-type: none"> <li>• number of applications and notifications from exempt organizations received;</li> <li>• number of complaints received; and</li> <li>• the level of positive/negative/ neutral feedback received.</li> </ul>	<p>good relations will be measured through baseline statistics regarding:</p> <ul style="list-style-type: none"> <li>• number of applications and notifications from exempt organizations received;</li> <li>• number of complaints received; and</li> <li>• the level of positive/negative/ neutral feedback received.</li> </ul>	<p>disability duties will be measured through baseline statistics regarding:</p> <ul style="list-style-type: none"> <li>• number of applications and notifications from exempt organizations received;</li> <li>• number of complaints received; and</li> <li>• the level of positive/negative/ neutral feedback received.</li> </ul>
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## Section D

### Formal Record of Screening Decision

#### Title of Proposed Policy / Decision being screened

“Free Printed Matter (Belfast) Designation Order 2012”

Decision to make an Order to Designate areas of Land within Belfast City Council for the Distribution of Free Printed Matter under the Clean Neighborhoods and Environment Act (Northern Ireland) 2011.

I can confirm that the proposed policy / decision has been screened for –

<input checked="" type="checkbox"/>	equality of opportunity and good relations
<input checked="" type="checkbox"/>	disabilities duties

On the basis of the answers to the screening questions, I recommend that this policy / decision is –

\*place an X in the appropriate box below

<input type="checkbox"/>	* <b>Screened In</b> – Necessary to conduct a full EQIA
<input type="checkbox"/>	* <b>Screened Out</b> – No EQIA necessary (no impacts)

	Provide a brief note here to explain how this decision was reached:
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<div style="background-color: #cccccc; width: 20px; height: 20px; display: inline-block; margin-bottom: 5px;">x</div>	<p><b>* <u>Screened Out</u> - Mitigating Actions (minor impacts)</b></p> <p>Provide a brief note here to explain how this decision was reached:</p> <ul style="list-style-type: none"> <li>• The impact of the scheme will be monitored and reviewed after it has been operational for 1 year and any necessary amendments implemented.</li> </ul> <p>Explain what mitigating actions and / or policy changes will now be introduced:</p> <ul style="list-style-type: none"> <li>• Any necessary mitigating action will be assessed after the scheme has been operating for 1 year.</li> </ul>
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## Formal Record of Screening Decision (cont)

### Screening assessment completed by (Officer level) -

Name:

Mairead Smith

Date: 29 May 2013

Department Cleansing Services, Health and Environmental Services Department

Signature:

### Screening decision approved by -

Name:

Sam Skimin

Date: 29 May 2013

Department / Job Title

Health and Environmental Services Department

Head of Cleansing Services

Signature:

Please save the final version of the completed screening form and forward to the Equality and Diversity Officer – [gilmartins@belfastcity.gov.uk](mailto:gilmartins@belfastcity.gov.uk). The screening form will be placed on the BCC website and a link provided to the Council's Section 75 consultees. For more information about equality screening contact –

**Stella Gilmartin**  
**Equality & Diversity Officer**  
**Belfast City Council**  
**City Hall**  
**Belfast**  
**BT1 5GS**  
**Telephone: 028 90270511**  
[gilmartins@belfastcity.gov.uk](mailto:gilmartins@belfastcity.gov.uk)