

Cardiff Council

Statutory Screening Tool Guidance

If you are developing a strategy, policy or activity that is likely to impact people, communities or land use in any way then there are a number of statutory requirements that apply. Failure to comply with these requirements, or demonstrate due regard, can expose the Council to legal challenge or other forms of reproach.

For instance, this will apply to strategies (i.e. Housing Strategy or Disabled Play Strategy), policies (i.e. Procurement Policy) or activity (i.e. developing new play area).

Completing the Statutory Screening Tool will ensure that all City of Cardiff Council strategies, policies and activities comply with relevant statutory obligations and responsibilities. Where a more detailed consideration of an issue is required, the Statutory Screening Tool will identify if there is a need for a full impact assessment, as relevant.

The main statutory requirements that strategies, policies or activities must reflect include:

- [Equality Act 2010 - Equality Impact Assessment](#)
- [Wellbeing of Future Generations \(Wales\) Act 2015](#)
- [Welsh Government Statutory Guidance - Shared Purpose Shared Delivery](#)
- [United Nations Convention on the Rights of the Child](#)
- [United Nations Principles for Older Persons](#)
- [Welsh Language \(Wales\) Measure 2011](#)
- [Health Impact Assessment](#)
- [Habitats Regulations Assessment](#)
- [Strategic Environmental Assessment](#)

This Statutory Screening Tool allows the Council to meet the requirements of all the above legislation as part of an integrated screening method and should take no longer than 1 hour to complete.

The Statutory Screening Tool can be completed as a self assessment or as part of a facilitated session, should further support be needed. For further information or if you require a facilitated session, please contact the Operational Manager – Policy, Partnerships and Community Engagement on (029) 2078 8561 or e-mail: Gareth.Newell@cardiff.gov.uk

Please note:

- **The completed Screening Tool must be submitted as an appendix with the Cabinet report.**
- **The completed Screening Tool will be published on the Council's Intranet.**

Statutory Screening Tool

Name of Strategy / Policy / Activity: Night Time Economy Strategy	Date of Screening: 11.09.2017
Service Area/Section: Policy , Performance & Community Engagement	Lead Officer: Steph Kendrick-Doyle
Attendees: Self Assessment	

What are the objectives of the Policy/Strategy/Project/Procedure/ Service/Function	Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]				
<p>What are the aims of this Strategy? This Strategy sets out our priorities and objectives for Cardiff's night-time economy and the actions we will take in order to achieve these.</p> <p>Objectives</p> <ul style="list-style-type: none"> • Make Cardiff a safe, welcoming and diverse night-time economy • Improve infrastructure and transport in Cardiff's night-time economy • Better understand why people choose to visit Cardiff's night-time economy and why they choose not to • Attract a wider range of customers by offering a greater variety of options • Change perceptions of Cardiff's night-time economy • Work with partners to ensure that funding for our existing best practice can be sustained <p>Priorities We have identified three main themes around which to focus our work on the Night Time Economy, in order to enhance experiences and reduce vulnerabilities:</p>	<p>The strategy has been developed by the Safer & Cohesive Communities Programme Board and has been based on the need to develop a partnership approach to managing a growing night time economy in the City. A number of pieces of research have been use to influence the scope and actions in the strategy. These include:</p> <ul style="list-style-type: none"> • Scrutiny Report: Managing the Night Time Economy in times of Austerity • Cardiff Liveable City Report • Licencing Policy • Public Health Wales Observatory – Alcohol and Health in Wales 2014 • Reducing Violent Crime – Research Cardiff University • Cardiff Transport Strategy • Night Time Economy of Cardiff City Centre and Cardiff Bay – Survey Cardiff Research Centre 2009 • Cardiff Student Community Partnership Action Plan • Cardiff Rough Sleeper Strategy 				
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- Movement in and around the night-time economy
- Preventing crime and disorder in the night-time economy
- A safe and welcoming night-time economy for all

Part 1: Impact on outcomes and due regard to Sustainable Development

Please use the following scale when considering what contribution the activity makes:		
+	Positive	Positive contribution to the outcome
-	Negative	Negative contribution to the outcome
ntrl	Neutral	Neutral contribution to the outcome
Uncertain	Not Sure	Uncertain if any contribution is made to the outcome

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
1.1	People in Cardiff are healthy; <i>Consider the potential impact on</i> <ul style="list-style-type: none"> the promotion of good health, prevention of damaging behaviour, promote healthy eating/active lifestyles etc, vulnerable citizens and areas of multiple deprivation Addressing instances of inequality in health 	+				POSITIVE The strategy will promote and address the following: <ul style="list-style-type: none"> The safe consumption of alcohol and promote other opportunities in the night time economy that do not involve drinking Address pre loading Ensure pubs and clubs have viable ways to stop people from becoming drunk and access services (ACT) when they are
	People in Cardiff have a clean, attractive and sustainable environment; <i>Consider the potential impact on</i> <ul style="list-style-type: none"> the causes and consequences of Climate Change and creating a carbon lite city encouraging walking, cycling, and use of public transport and improving access to countryside and open space reducing environmental pollution (land, air, noise and water) reducing consumption and encouraging waste reduction, reuse, recycling and recovery encouraging biodiversity 	+				POSTIVE The strategy will address: <ul style="list-style-type: none"> The causes of litter left by businesses and provide partnership responses to find solutions – Gull proofing refuge bags/additional cleaning services provided Will encourage the use of public transport and walking in the night time economy
1.2						

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
	<ul style="list-style-type: none"> • • 					
1.3	People in Cardiff are safe and feel safe; <i>Consider the potential impact on</i> <ul style="list-style-type: none"> • <i>reducing crime, fear of crime and increasing safety of individuals</i> • <i>addressing anti-social behaviour</i> • <i>protecting vulnerable adults and children in Cardiff from harm or abuse</i> 	+				POSTIVE The strategy aims to protect people with vulnerabilities that using the night time economy, this will include : <ul style="list-style-type: none"> • Reduce crime, disorder and Anti-Social behaviour in the night time economy • It will improve perceptions of the night time economy including perceptions of safety • Will put in place measures to protect people with vulnerabilities in order to prevent and protect people from Violent Crime , hate crime and Child sexual exploitation
1.4	Cardiff has a thriving and prosperous economy; <i>Consider the potential impact on</i> <ul style="list-style-type: none"> • <i>economic competitiveness (enterprise activity, social enterprises, average earnings, improve productivity)</i> • <i>Assisting those Not in Education, Employment or Training</i> • <i>attracting and retaining workers (new employment and training opportunities, increase the value of employment,)</i> • <i>promoting local procurement opportunities or enhancing the capacity of local companies to compete</i> 	+				POSITIVE By diversifying the offer in the night-time economy, the strategy should have a positive impact on businesses'. One of the actions is to apply for purple flag status lead by the BID, which should bring positive recognition and impacts on the city centre.
1.5	People in Cardiff achieve their full potential; <i>Consider the potential impact on</i> <ul style="list-style-type: none"> • <i>promoting and improving access to life-long learning in Cardiff</i> • <i>raising levels of skills and qualifications</i> • <i>giving children the best start</i> 	Ntrl				NEUTRAL This strategy will neither benefit or negatively affect this objective.

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation		
		+	-	Ntrl	Un-Crtn			
	<ul style="list-style-type: none">improving the understanding of sustainabilityaddressing child poverty (financial poverty, access poverty, participation poverty)the United Nations Convention on the Rights of a Child and Principles for Older persons							
1.6	Cardiff is a Great Place to Live, Work and Play Consider the potential impact on <ul style="list-style-type: none">promoting the cultural diversity of Cardiffencouraging participation and access for all to physical activity, leisure & cultureplay opportunities for Children and Young Peopleprotecting and enhancing the landscape and historic heritage of Cardiffpromoting the City's international links	+				POSITIVE The strategy will enhance the perception of the city and will have an impact on the economic growth. This should encourage more residents and visitors to come into the city centre and the Bay at night for extended hours i.e. from work to evening. It will also have an impact on local businesses including clubs, pubs, restaurants, theatres, museum and art galleries.		
1.7	Cardiff is a fair, just and inclusive society. Consider the potential impact on <ul style="list-style-type: none">the elimination of discrimination, harassment or victimisation for equality groupshas the community or stakeholders been engaged in developing the strategy/policy/activity?how will citizen participation be encouraged (encouraging actions that consider different forms of consultation, through more in depth engagement to full participation in service development and delivery)?	+				POSITIVE The strategy aims to protect people with vulnerabilities that using the night time economy, this will ensure that people are free from harassment and hate crime. The strategy has been developed using the results of surveys which have been undertaken with users of the night time economy.		
	Will this Policy/Strategy/Project have a differential impact on any of the following:					Please give details/consequences of the differential impact (positive and negative), and what action(s) can you take to address any negative implications?		
	<ul style="list-style-type: none">Age (including children and young people aged 0-25 and older people over 65 in line with the United Nations Conventions)	+				The strategy aims to diversify the night time economy by making it accessible to all, this should benefits older people / families that tend not to come in to Cardiff at night as they perceive the only options are pubs and clubs.		
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	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation								
		+	-	Ntrl	Un-Crtn									
	• Disability	+				The strategy particularly notes that interventions are needed to ensure people with a disability feel safe in the night time economy								
	• Gender Reassignment	+				The strategy aim to put protective measures in place to ensure that all people with vulnerabilities are safe. This will include the promotion of hate crime reporting								
	• Marriage & Civil Partnership			Ntrl		N/A								
	• Pregnancy & Maternity			Ntrl		N/A								
	• Race	+				The strategy aim to diversify the night- time economy so it has something to offer everyone. This will include cultural and activities aimed at different sections of the community. The strategy will also include the promotion of hate crime reporting.								
	• Religion/Belief	+				The strategy aim to diversify the night- time economy so it has something to offer everyone. This will include cultural and activities aimed at different sections of the community. The strategy will also include the promotion of hate crime reporting.								
	• Sex	+				The strategy particularly notes that interventions are needed to ensure that women feel safe in the night- time economy.								
	• Sexual Orientation	+				The strategy aim to diversify the night- time economy so it has something to offer everyone. This will include cultural and activities aimed at different sections of the community. The strategy will also include the promotion of hate crime reporting.								
	• Welsh Language			Ntrl		N/A								
	<table><tr><td></td><td>Yes</td><td>No</td></tr><tr><td>Is a full Equality Impact Assessment required?</td><td>X</td><td></td></tr><tr><td>Is a full Child Rights Impact Assessment required?</td><td></td><td>X</td></tr></table>							Yes	No	Is a full Equality Impact Assessment required?	X		Is a full Child Rights Impact Assessment required?	
	Yes	No												
Is a full Equality Impact Assessment required?	X													
Is a full Child Rights Impact Assessment required?		X												
1.8	The Council delivers positive outcomes for the city and its citizens through strong partnerships <i>Consider the potential impact on</i> <ul style="list-style-type: none"><i>strengthening partnerships with business & voluntary sectors</i><i>the collaboration agenda and the potential for shared</i>	+				POSITIVE The strategy is a partnership document and has been developed by the broad membership of the Safer & Cohesive Communities Programme Board. The strategy will be signed off by the Public Services Board, BID and Health Board as well as by Cabinet and the Public Protection Committee.								
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	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
	<i>services, cross-boundary working and efficiency savings</i>					

SUMMARY OF APPRAISAL (highlight positive and negative effects of the policy / plan / project being assessed, demonstrating how it contributes to the economic, social and environmental sustainability of the city):

This partnership strategy will have a positive contribution to the economic, social and environmental sustainability of the City. It will ensure that Cardiff is able to manage and shape the direction of the night-time economy in times of austerity. The strategy contains an action plan that will monitor the success of interventions and identify positive impacts, such as a reduction in violent crime, improvements in people's perception of safety in the night-time economy & reduction in drinking on public transport.

WHAT ACTIONS HAVE BEEN IDENTIFIED OR CHANGES BEEN MADE TO THE POLICY / PLAN / PROJECT AS A RESULT OF THIS APPRAISAL:

No actions have been identified as the overall assessment is that the strategy impacts positively in all but one areas and has a neutral affect in "People in Cardiff achieve their full potential" which sits outside the remit of the strategy.

Part 2: Strategic Environmental Assessment (SEA)

		Yes	No
2.1	Does the plan or programme set the framework for future development consent?		X
2.2	Is the plan or programme likely to have significant, positive or negative, environmental effects?	X	

Is a Full Strategic Environmental Assessment Screening Needed? <ul style="list-style-type: none"> ▪ If Yes has been ticked to both questions 2.1 and 2.2 above then the answer is Yes ▪ If a full SEA screening is required then please contact the Sustainable Development Unit to arrange (details below) 		Yes	No

If you have any doubt about your answers to the above questions, then please consult the Sustainable Development Unit for advice on (029) 2087 3228 or email: sustainabledevelopment@cardiff.gov.uk

Part 3: Habitat Regulation Assessment (HRA)

		Yes	No	Unsure
3.1	Will the plan, project or programme results in an activity which is known to affect a European site, such as the Severn Estuary or the Cardiff Beech Woods?		X	
3.2	Will the plan, project or programme which steers development towards an area that includes a European site, such as the Severn Estuary or the Cardiff Beech Woods or may indirectly affect a European site?		X	
3.3	Is a full HRA needed?		X	

Details of the strategy will be sent to the County Ecologist on completion of the process to determine if a Habitat Regulation Assessment is needed. For further information, please phone (029) 2087 3215 or email: biodiversity@cardiff.gov.uk

Part 4: Welsh Language (Wales) Measure 2011

		Yes	No	Unsure
4.1	Have you considered how the policy could be formulated so that the policy decision would have positive effects, or increased positive effects on opportunities for persons to use the Welsh language?	X		
4.2	Does the policy ensure that the Welsh language is treated no less favourably than the English language?	X		

If you have any doubt about your answers to the above questions, then please consult the Bilingual Cardiff team for advice on (029) 2087 2527 or email: Bilingualcardiff@cardiff.gov.uk

Appendix 1 – Statutory Requirements

It is possible that the Statutory Screening Tool will identify the need to undertake specific statutory assessments:

- **Equality Impact Assessment:** *This assessment is required by the Equality Act 2010 and Welsh Government's Equality Regulations 2011.*
- **Wellbeing of Future Generations (Wales) Act:** *The Act requires sustainable development to be a central organising principle for the organisation. This means that there is a duty to consider sustainable development in strategic decision making processes.*
- **Welsh Government Statutory Guidance - Shared Purpose Shared Delivery:** *The Welsh Government requires local authorities to produce a single integrated plan to meet statutory requirements under a range of legislation. The City of Cardiff Council must therefore demonstrate its contribution towards Cardiff's own integrated plan: "What Matters".*
- **United Nations Convention on the Rights of the Child:** *The Children Act 2004 guidance for Wales requires local authorities and their partners to have regard to the United Nations Convention on the Rights of a Child.*
- **United Nations Principles for Older Persons:** *The principles require a consideration of independence, participation, care, self-fulfillment and dignity.*
- **Welsh Language (Wales) Measure 2011:** *The Measure sets out official status for the Welsh language, a Welsh language Commissioner, and the freedom to speak Welsh.*
- **Health Impact Assessment:** *(HIA) considers policies, programmes or projects for their potential effects on the health of a population.*
- **Habitats Regulations Assessment:** *The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 provides a requirement to undertake Habitats Regulations Assessment (HRA) of land use plans.*
- **Strategic Environmental Assessment:** *A Strategic Environmental Assessment (SEA) is an European Directive for plans, programmes and policies with land use implications and significant environmental effects.*