

## **Colchester Borough Council**

### **Equality Impact Assessment Form - An Analysis of the Effects on Equality**

#### **Section 1: Initial Equality Impact Assessment**

Name of policy/ decision to be assessed:

- Charter Market

1. What is the main purpose of the policy/decision/ service

- To facilitate this essential community facility for residents and visitors

2. What main areas or activities does it cover?

- Street markets and street trading

3. Are there changes to an existing policy being considered in this assessment? If so what are they?

- No
  - To approve the relocation of the Market to the High Street.
  - To agree that the Council will allocate finance for new stalls, anchor points, electricity supply, a marketing plan and waste removal to support successful market trading in the new location.
  - To agree to expanding the range of markets taking place to include specialist themed markets on additional days of the week and at different times of the day.
  - To support existing traders and day traders with a business development programme.
  - To encourage new entrepreneurs to trial their venture from the market with a view to encouraging future trading in the town centre
  - To commission a consultancy to assist the Council with developing an Operations Manual which would provide a detailed guide to operating the market in the High Street location.

4. Who are the main audience, users or customers who will be affected by the policy?

- Individual and group visitors to Colchester
- Local residents
- Market traders and street traders
- Potential market traders and street traders

5. What outcomes do you want to achieve from the service?

- A good choice of types of market for people to shop in
- A good town centre ambience/experience
- A safe and clean market operation in the town centre
- Good opportunity for entrepreneurs to trial their business via a market stall

6. Are other service areas or partner agencies involved in delivery? If so, please give details below:

- ECC Highways

7. Are you aware of any relevant information, data, surveys or consultations<sup>1</sup> which help us to assess the likely or actual impact of the policy upon customers or staff?

[NABMA \(National Association of British Market Authorities\) Mission for Markets](#)

8. The 'general duty' states that we must have "due regard" to the need to:

- (a) eliminate unlawful discrimination, harassment and victimisation?
- (b) advance equality of opportunity between people who share a 'protected characteristic'<sup>2</sup> and those who do not?<sup>3</sup>

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<sup>1</sup>Click on [surveys or consultations](#) for more information. The Council's surveys and consultations include 'equality monitoring information' to help us identify any particular concerns or views expressed by any particular group or 'protected characteristic'. It can also help us to assess how representative of our customers the respondent group is. Local Data on the Protected Characteristics is available [on this page](#) of the Hub.

<sup>2</sup> The Equality Act's 'protected characteristics' include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief and sex and sexual orientation. It also covers marriage and civil partnerships, but not for all aspects of the duty.

<sup>3</sup> This involves having due regard, in particular, to the need to: (a) remove or minimise disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of

(c) foster good relations between people who share a protected characteristic and those who do not?<sup>4</sup>

Not all policies help us to meet the ‘general duty’, but most do.

*Where applicable, explain how this policy helps us to meet the ‘general duty’:*

The policy helps us to ‘eliminate unlawful discrimination, harassment and victimisation’ in the following way(s):

- A fair and transparent policy governs how people apply to trade – this helps eliminate unfair treatment

The policy helps us to ‘advance equality of opportunity...’ in the following way(s):

- The Charter Market includes a diverse range of traders and offers the opportunity for entrepreneurs to test their business ideas through a market stall. More people, particularly younger people, are therefore able to judge the potential for their business ideas

The policy helps us to ‘foster good relations...’ in the following way(s):

- The Council welcomes and approves applications to trade from a wide range of different groups within the ‘protected characteristics’ across different ages and ethnicities, for example. Such groups may find there are barriers to full participation in more formal retail settings. This is reflected by the fact that 20% of traders’ country of origin is outside the UK (2017).

9. This section helps us to identify any disproportionate impacts. Please indicate in the table below whether the policy is likely to particularly benefit or disadvantage any of the ‘protected characteristics’.

‘Protected characteristic’ group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
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persons who do not share it, and (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

<sup>4</sup> This involves having due regard, in particular, to the need to (a) tackle prejudice, and (b) promote understanding.

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Age	Older people (60+)	X	Older people may particularly benefit from the choice that a centrally located market can offer.	X	None identified
	Younger people (17-25) and children (0-16)		As part of a 6 week business course at Colchester Business Enterprise Agency, a day at the market is included to introduce new small businesses and entrepreneurs to the town. This may particularly benefit this group.	X	None identified
Disability	Physical	X	The High Street location offers ease of navigation and level access. Within rules and regulations, traders need to provide an assisted shopping service to people with disabilities.	X	None identified
	Sensory	X	A source of mains electricity can be of particular benefit to this group as it prevents the negative impact of noisy generators.	X	None identified
	Learning		None identified	X	None identified
	Mental health issues		None identified	X	None identified
	Other – <i>specify</i>				
Ethnicity <sup>5</sup>	White		None identified	X	None identified
	Black	X	The Charter Market, particularly its food stalls, reflects a diverse and multicultural community, both in terms of traders and customers..	X	None identified
	Chinese	X	As above	X	None identified
	Mixed Ethnic Origin	X	As above	X	None identified
	Gypsies/ Travellers		None identified	X	None identified

<sup>5</sup> National Census 2011 categories are: Bangladeshi, Indian, Pakistani, Other Asian (Asian or Asian British), African, Caribbean, Other Black (Black or Black British), White and Black African, White and Asian, White and Black Caribbean (Mixed), British, Irish, Other White (White), Chinese, Other (Other Ethnic Group).

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
	Other – <i>please state</i>				
Language	English not first language	X	The Charter Market, particularly its food stalls, reflects a diverse and multicultural community, both in terms of traders and customers.	X	None identified
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks		None identified	X	None identified
Religion or Belief	People with a religious belief (or none)		None identified	X	None identified
Sex	Men		None identified	X	None identified
	Women		None identified	X	None identified
Gender Reassignment <sup>6</sup>	Transgender/ Transsexual		None identified	X	None identified
Sexual Orientation	Bisexual, Heterosexual, Gay or Lesbian		None identified	X	None identified
Marriage and Civil Partnership	People who are married or in a civil partnership		None identified	X	None identified

10. If you have identified any negative impacts (above) how can they be minimised or removed?

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<sup>6</sup> The protected characteristic of gender reassignment is defined by the Equality Act 2010 as “a person proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.” This is a personal process that may involve medical interventions such as counselling, psychotherapy, hormone therapy or surgery, but does not have to. NB: It is generally held that transgender people disguise their features or clothing to resemble their preferred sex, whereas transsexual people wish to change their body to completely resemble their preferred sex.

*(This is a key section: Please deal with each negative impact noted above in turn.)*

- None identified

11. Could the policy discriminate<sup>7</sup> against any 'protected characteristic', either directly or indirectly<sup>8</sup>?

No

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<sup>7</sup> The Council has a general duty to 'eliminate unlawful discrimination, harassment and victimisation'. Direct discrimination occurs when a person is treated less favourably than another in a comparable situation because of their 'protected characteristic' whether on grounds of age, disability, pregnancy and maternity, ethnicity; religion or belief; sex (gender), sexual orientation, or marriage and civil partnership. Indirect discrimination occurs when an apparently neutral provision or practice would nevertheless disadvantage people on the grounds of their 'protected characteristic'.

<sup>8</sup> If you answer 'yes' to question 11 (above) you will need to complete this section *and* go on to complete Section 2 in order to conduct a full Equality Impact Assessment.

## Summary and findings of Initial Equality Impact Assessment

12. Please put a tick in the relevant box to confirm your findings, and what the next step is:

Findings	Action required
<b>No negative impacts have been identified</b> <b>X</b>	<b>Sign off screening and finish.</b>
Negative impacts have been identified but have been minimised or removed <input type="checkbox"/>	Sign off screening and finish.
Negative impacts could not be minimised or removed <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.
There is insufficient evidence to make a judgement. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.

13. Name and job title of person completing this form:

- Demi Quinn, Markets & Street Trading Manager

14. Date of completion:

- March 2018

15. Date for update or review of this screening:

- March 2021