

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:

- Review of The Market in Colchester

NB: 'Policy' is meant broadly to mean policy, strategy, service, function, activity or decision.

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

- To approve the implementation of the recommendations of a review of Markets in Colchester

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?

- Yes –
 - 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
- Existing market traders and street traders
- Potential market traders and street traders

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

- An improved choice of types of market for people to shop in
- An improved town centre ambience/experience
- A safer and cleaner market operation in the town centre
- More 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 consultations¹ which help us to assess the likely or actual impact of the policy upon customers or staff?

- Seeking Fresh Ideas for Markets in Colchester - A Feasibility Study for Colchester Market. Quarterbridge Project Management Ltd, December 2013, which contained the results of consultation with existing market users, non-market users and traders.

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'² and those who do not?³

¹Click 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.

²The 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.

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

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):

- None identified

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

- by widening the choice of markets and products available new types of markets will be attractive to a wider range of socio economic groupings
- similarly by offering entrepreneurs the chance to tests their business ideas through a market stall more people, particularly younger people, will be better able to judge the potential for their business ideas

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

- None identified

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'.

³ 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 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.

⁴ 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	<p>A wider range of socio economic groups within this age band could benefit from a greater choice of markets to shop in</p> <p>The High Street location is easier to navigate than the current split site arrangement between Culver St West and Culver St East</p>	X	None identified
	Younger people (17-25) and children (0-16)	X	There is a newly emerging concept of a Teenage Market which Colchester is keen to trial. The new market could represent a new business/employment opportunity for young entrepreneurs	X	None identified

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Disability	Physical	X	The High Street location is easier to navigate than the current split site arrangement between Culver St West and Culver St East. There is also a level surface throughout the High Street	X	None identified
		X	Moving the market to the High St would need the current parking bay for people with disabilities to be designated as dual use on market days, this would affect up to 6 vehicles. On market days it is proposed that drivers with disabilities park in Culver Street West which has flat access to services such as banking. Spaces in Culver Street West would be accessible to Blue Badge Holders up to 11am and after 4pm. Arrival prior to 11am would allow three hours stay as designated by the Blue Badge scheme so drivers would be able to exit via Trinity St / Sir Isaac's Walk.	X	This would reduce the current accessible parking availability from 26 to 20 accessible spaces in the High Street. However, there are another 13 accessible spaces in the Castle Bailey adjacent to the High Street.
	Sensory	X	The intention to add electricity supply for traders will prevent the use of noisy generators which will improve the sensory experience for customers as well as the working environment for traders.	X	None identified

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
	Learning	X	<p>People with learning disabilities could benefit from a greater choice of markets to shop in</p> <p>The High Street location is easier to navigate than the current split site arrangement between Culver St West and Culver St East</p>	X	None identified
	Mental health issues	X	<p>People with mental health issues could benefit from a greater choice of markets to shop in</p> <p>The High Street location is easier to navigate than the current split site arrangement between Culver St West and Culver St East</p>	X	None identified
	Other – <i>specify</i>				
Ethnicity ⁵	White	X	<p>A wider range of socio economic groups within this ethnic group could benefit from a greater choice of markets to shop in</p> <p>A wider range of markets also offers a business opportunity in Colchester for new market traders</p>	X	None identified
	Black	X	As above	X	None identified
	Chinese	X	As above	X	None identified
	Mixed Ethnic Origin	X	As above	X	None identified

⁵ 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
	Gypsies/ Travellers	X	As above	X	None identified
	Other – <i>please state</i>				
Language	English not first language	X	A wider range of markets would offer more choice for such shoppers including visitors from overseas. indeed such markets may actually help to attract such visitors as part of the overall appeal of Colchester as a visitor destination.	X	None identified
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	X	The High Street location is easier to navigate than the current split site arrangement between Culver St West and Culver St East. It is also hoped that there will be places to sit and have a coffee for instance within the market	X	None identified
Religion or Belief	People with a religious belief (or none)	X	A wider range of markets would offer more choice for such shoppers	X	None identified
Sex	Men	X	A wider range of markets would offer more choice for men	x	None identified
	Women	X	A wider range of markets would offer more choice for women	x	None identified
Gender Reassignment ⁶	Transgender/ Transsexual	X	A wider range of markets would offer more choice for transgender/transsexual shoppers	X	None identified

⁶ 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

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Sexual Orientation	Bisexual, Heterosexual, Gay or Lesbian	X	A wider range of markets would offer more choice for such shoppers	X	
Marriage and Civil Partnership	People who are married or in a civil partnership	X	A wider range of markets would offer more choice for such shoppers	X	

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

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

- None identified

11. Could the policy discriminate⁷ against any 'protected characteristic', either directly or indirectly⁸?

No

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.

⁷ 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'.

⁸ 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
No negative impacts have been identified X	Sign off screening and finish.
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:

- Karen Turnbull, Enterprise & Tourism Development Manager, Colchester Borough Council

14. Date of completion:

- 1 May 2014

15. Date for update or review of this screening:

- 1 May 2017