



**WATFORD
BOROUGH
COUNCIL**

Equality Impact Analysis

Title of policy, function or service	Town Centre Street Trading Policy 31.12.18 – 31.12.21
Lead officer	Richard Brown
Person completing the EIA	Richard Brown
Type of policy, function or service:	Existing (reviewed) <input checked="" type="checkbox"/> New/Proposed <input type="checkbox"/>
Version & Date	Version 1, 13 th September 2018

1. Background

An interim Town Centre Street Trading Policy was introduced in July 2014 to complement the Big Events programme. It allows Commercial Street Trading in a specific area of the Parade. The policy was extended for a further three years in September 2015, and the report being taken to committee on 26 September seeks approval to extend the policy until 31 December 2021.

At Licensing Committee in June 2018, members agreed that the consultation should focus on four main issues;

1. Whether the policy should be amended to allow a number of commercial street trading consents to be issued to coincide with events run by other organisations such as the Business Improvement District (BID).
2. Whether the maximum number of 6 consents per events should be increased to give flexibility when planning events such as the Big Beach, based on previous feedback from Section Head (Culture and Play).
3. Whether the policy of only issuing consents for one day at a time should be reviewed.
4. Whether consents should only be issued to food businesses that have a food hygiene rating of four or above.

Without this policy, the High Street and roads leading from the High Street would remain prohibited streets under the Local Government (Miscellaneous Provisions) Act 1982 and no commercial street trading would be permitted.

2. Focus of the Equality Impact Analysis

This EIA, therefore, considers the potential equality related impacts, both positive and negative of Town Centre Street Trading Policy on the people in the groups or with the characteristics protected in the Equalities Act 2010.

These are:

1. Age
2. Disability
3. Gender Reassignment
4. Pregnancy and maternity
5. Race
6. Religion or belief
7. Sex (gender)
8. Sexual Orientation
9. Marriage and Civil Partnership.

3. Engagement and consultation

A public consultation exercise was carried out between 6th July 2018 and 17th August 2018. The following organisations written to:

- The Business Improvement District
- The Police
- Town and Country Markets
- Watford and West Herts Chamber of Commerce
- Hertfordshire County Council Highways Section
- Watford Borough Council Parking Section
- Watford Borough Council Events Team
- Watford Borough Council Place Shaping Team / Deputy MD / Development Control
- Watford Borough Council Economic Development Section
- Watford Borough Council Legal Section

In addition, 470 town centre residents were written to along with the 11 holders of existing Commercial Street Trading Consents issued by the council. Details of the consultation were placed on the council website and a public notice was placed in the Watford Observer on 6th July 2018.

60 responses were received, of which 56 were via an online survey which included a number or equality and diversity question. The breakdown of responses was as follows:

In what capacity are you answering this survey?	
Local resident	27
On behalf of a local business	2
On behalf of a local community group or organisation	2
On behalf of a council partner / stakeholder	1
Skipped	24

Gender	
Male	12
Female 3	10
Non-binary	1
Skipped	43

Are your day-to-day activities limited because of a health problem or a disability which has lasted, or is expected to last, at least 12 months	
Yes, limited a lot	18
Yes, limited a little	2
No	2
Skipped	44

Age	
18 – 29	2
30 - 39	7
40 – 49	5
50 - 59	5
60 - 64	2
65 - 74	1
75 – 84	1
85+	0
Skipped	33

To which of these groups do you consider you belong?	
English / Welsh / Scottish / Northern Irish / British	17
Gypsy or Irish Traveller	0
Irish	0
Any other White background	1
White & Black Caribbean	0
White & Black African	1
White & Asian	1
Any other mixed / multiple ethnic background	0
Arab	0
Caribbean	1
African	0
Any other Black background	0
Indian	0
Pakistani	1
Bangladeshi	0
Chinese	0
Any other Asian background	0
Other ethnic group	1
Skipped	33

None of the responses suggested that any of the protected characteristics would be adversely impacted by the four proposed revisions to the policy, or that the policy as a whole would adversely affect a particular sector of the community. It is also worth noting that no complaints relating to equalities have been received in the duration of operation of the previous Policy.

4. What we know about the Watford population

The current population of Watford is 96,800 (mid 2017 estimate) and is estimated to grow by 16% by 2026. Population growth estimates stated that they expected Watford to reach 100,000 by the end of 2017. In terms of gender breakdown, there are estimated to be fractionally more female than male residents but the difference is not significant.

The 2011 2011 shows the following breakdown in terms of ethnicity: White British (61.9%), White other (7.7%), Pakistani (6.7%), British Indian (5.5%) and British other Asian 4.4%).

Census information is now nearly 10 years old and it is likely that the ethnic profile of the borough has changed during this time to reflect more recent EU arrivals to the borough (EU2 countries – Romania and Bulgaria, who were given residency rights in 2014).

5. How will the council ensure equality is promoted through the Town Centre Street Trading Policy 31.12.18 – 31.12.21?

Under the Equality Act 2010, three areas need to be considered when analysing the equality impact of the Town Centre Street Trading Policy 31.12.18 – 31.12.21:

1. **eliminate** discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
2. **advance** equality of opportunity between people who share a relevant protected characteristic and people who do not share it
3. **foster** good relations between people who share a relevant protected characteristic and people who do not

Town Centre Commercial Street Trading consents applications are not assessed based on the characteristics of the applicant. Instead they are issued in accordance with the law and depend on the application being accompanied by:

- (a) passport-size photographs of the applicant(s)
- (b) copies of food registration and food hygiene training where appropriate;
- (c) copies of public liability insurance showing at least £1 million cover;
- (d) three colour photographs showing different elevations of the stall, barrow or vehicle;
- (e) the fee for each day to be traded.

The information people will need to know about the consents, as well as the application process is accessed via the council's webpages and this feature provides additional support and help to those with a range of equalities related issues such as those for whom English is not the first language, those with visual impairment or learning difficulties.

The council's website features 'browsealoud' which allows people to:

- translate pages into a range of different languages
- enlarge web pages
- activate voice over for web pages
- simplify web page content

Should an applicant's characteristics make it difficult to use this channel then face to face and telephone contact is still possible.

In relation to the selection criteria for approval of applications; restrictions on goods and services are not considered to impact on any protected characteristics and are there to ensure suitability, legality and promotion of the towns values and vision. Any goods or services that would appear to impact or fail to promote the Council's equalities duties would be refused.

It is recognised that any obstructions on the highway have the potential to impact on accessibility in the town, and that the town is at times already crowded by both people and street furniture. All

applications require approval of location and layout of associated furniture. This is considered in line with the whole event layout and provisions are also in place to restrict other street trading permissions where required such as pavement licenses. This is considered by Highways where necessary and this consultation and approval is specifically designed to prevent any adverse impacts of accessibility.

A. Positive impacts

The council has not identified any positive effects from the analysis of consultation responses, the makeup of the Borough, the permission to trade in this area and the way that applications are processed and consents issued.

However, by supporting the Big Events programme, the Street Trading Policy is supporting the council's public sector equality duty to foster good relations between those who share a protected characteristic and those who don't. The Big Events offer opportunities for the Watford community to come together to share experiences in a safe and well-managed environment, thus promoting a cohesive and more tolerant community.

B. Negative impacts

The council has not identified any negative effects from the analysis of consultation responses, the makeup of the Borough, the permission to trade in this area and the way that applications are processed and consents issued.

Potential negative impacts of the Policy in terms of the application process have been identified (including potential barriers such as language, visual impairment) and ways to mitigate these have also been identified. The council has a range of measures to ensure potential barriers are removed including extensive translation services, larger text size and face to face communications if required.

6. Overall conclusion

In applying this Policy, no particular group is given priority over another in relation to implementation of the Policy and how any applicant is dealt with. Applications are assessed on their individual merits, so all groups should be treated fairly. The processing of applications requires approval of goods and locations. This allows for any potential impacts in relation to the nature of goods or location to be managed.

Accordingly the council is not in a position where it can proactively affect the profile of licence holders, but the Policy ensures that the process of obtaining a licence is fair and free of discrimination with identified barriers identified and mitigated.

On consideration, the overall conclusion of the EIA is that there is no negative impact on any characteristic or group as a result of this Policy.

	Positive	Negative	None	Reasons for Decision
All groups in society	x			Positive: By supporting the Big Events programme, the Street Trading Policy is supporting the council's public sector equality duty to foster good relations between those who share a protected characteristic and those who don't. The Big Events offer opportunities for the Watford community to come together to share experiences in a safe and well-managed environment, thus promoting a cohesive and more tolerant community.
Age	x			
Disability			x	Potential negative impacts of the Policy in terms of the application process have been identified (including potential barriers such as language, visual impairment) and ways to mitigate these have also been identified. The council has a range of measures to ensure potential barriers are removed including extensive translation services, larger text size and face to face communications if required
Gender Reassignment			x	
Pregnancy and maternity			x	
Race			x	
Religion or belief			x	
Sex (gender)			x	
Sexual Orientation			x	
Marriage and Civil Partnership.			x	

This EIA has been approved by:



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Justine Hoy, Head of Environmental Health & Licensing

Date: 17th September 2018