

Mendip District Council



Corporate Equality Group

Equality Impact Assessment Form

(To be used in connection with EIA Toolkit as guidance)

Version 1.0 - June 2009

Title page

Service Area and Scope

Licensing Team
Street trading

What is the subject of this EIA – What are you assessing?

The impact of the council implementing street trading controls across the area.

Which service is responsible for this?

Licensing

Who are the people involved in completing this assessment?

Jason Kirkwood – Principal Licensing Officer

If required, Have you completed any consultation in relation to this?

Yes

Date of assessment completed

25/08/2016

Name of team and responsible manager

Licensing
Claire Malcolmson

Date EIA approved by Corporate Equality Group

Discussed with Tom Rutland and amended in light of feedback from him.

Scope of the EIA

What service provision does the subject cover?

The Council proposes to control Street Trading in the area through the 'designation' of streets as consent streets. It has produced a draft Street Trading Policy and Scale of charges for the service.

This means that any potential trader that sells most products or items in a place the public have unfettered access will require the consent of the Council to do so. They will pay a licence fee to use this service. For example, a roadside food van or fruit and vegetable stall holder (not including those on a Council market) or ice cream seller will need the consent from the Council to continue to trade.

At the current time, there are no such controls in Mendip, although this activity is controlled in most other areas. The Council did decide to implement these controls in a limited fashion many years ago, but this was done inconsistently and in a fragmented fashion.

Who are the people affected or covered by this?

Any persons or businesses that carry out the activity of street trading or who are affected by those activities.

There are some individuals that currently trade in the area, and they will need the consent of the Council to continue to do so. In some cases, their applications could be refused and they may need to stop trading.

In other cases, the regime would provide some security of tenure, which has not been available before.

What other information or legislation is relevant to this subject?

Street Trading is governed by the Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

EU Services Directive

Knowledge levels relevant to the assessment.

Service users:

STRAND	PROFILES / DATA / KNOWLEDGE
Age	Any age person could want consent to trade, but no person under 17 years of age can apply. Likelihood of an individual applying or being affected by a grant of consent would probably fall in line with local demographics of population in that town or Somerset as a whole.
Gender	No restrictions on applying for the service. Likelihood of an individual applying or being affected by a grant of consent would probably fall in line with local demographics of population in that town or Somerset as a whole.
Transgender	No restrictions on applying for the service. Likelihood of an individual applying or being affected by a grant of consent would probably fall in line with local demographics of population in that town or Somerset as a whole.
Disability	No restrictions on applying for the service. Likelihood of an individual applying or being affected by a grant of consent would probably fall in line with local demographics of population in that town or Somerset as a whole.
Religion or Belief	No restrictions on applying for the service. Likelihood of an individual applying or being affected by a grant of consent would probably fall in line with local demographics of population in that town or Somerset as a whole.
Sexual Orientation	No restrictions on applying for the service. Likelihood of an individual applying or being affected by a grant of consent would probably fall in line with local demographics of population in that town or Somerset as a whole.
Race or Ethnicity	No restrictions on applying for the service.

	<p>In some cases, English may not be the first language of a trader or they have difficulty in reading and writing.</p> <p>Likelihood of an individual applying or being affected by a grant of consent would probably fall in line with local demographics of population in that town or Somerset as a whole.</p>
Socio-Economic Status	<p>No restrictions on applying for the service.</p> <p>Likelihood of an individual applying or being affected by a grant of consent would probably fall in line with local demographics of population in that town or Somerset as a whole.</p>

Local community as a whole:

STRAND	PROFILES / DATA / KNOWLEDGE
Age	Unknown
Gender	Unknown
Transgender	Unknown
Disability	Unknown
Religion or Belief	Unknown
Sexual Orientation	Unknown
Race or Ethnicity	Unknown
Socio-Economic Status	Unknown

Relevant regional or national context:

STRAND	PROFILES / DATA / KNOWLEDGE
Age	Unknown
Gender	Unknown

Transgender	Unknown
Disability	Unknown
Religion or Belief	Unknown
Sexual Orientation	Unknown
Race or Ethnicity	Unknown
Socio-Economic Status	Unknown

Relevant trends within service industry/profession:

STRAND	PROFILES / DATA / KNOWLEDGE
Age	Unknown
Gender	Unknown
Transgender	Unknown
Disability	Unknown
Religion or Belief	Unknown
Sexual Orientation	Unknown
Race or Ethnicity	Unknown
Socio-Economic Status	Unknown

Assessment discussion and findings

Age – Using the information you have, discuss the possibilities for people of different ages to experience a different level of service or have different needs to access the service.

Positive – Actual or Potential	Negative – Actual or Potential
<p>Our staff have experience of dealing with a wide range of customers and treat all of our customers with respect and dignity regardless of any protected characteristic.</p> <p>All of our forms and guidance are available in hard copy for those that have difficulty in accessing or no access to the internet and our website.</p> <p>Our website follows Web Accessibility Initiative's (WAI) Web Content Accessibility Guidelines (WCAG) Version 2, to a minimum level 'AA' standard.</p> <p>It also allows text to be viewed in different sizes and colours. It offers signposting for free screen readers.</p>	<p>A person under 17 years of age – cannot apply or will be refused.</p>
<p>Can these be improved further?</p>	<p>Can these be justified?</p>
<p>Ongoing staff training (staff attend equality and discrimination training or similar provided by the Council) and manager feedback following praise or criticism of the service where relevant.</p>	<p>Legal requirement – primary legislation.</p>
<p>Are these being promoted?</p>	<p>If not, How can we mitigate or remedy any negative?</p>
<p>We make it clear to service users that we can assist them where it is appropriate.</p> <p>The needs of all of our customers are promoted/ discussed at team meetings when required and through individual feedback at 1-2-1's.</p>	<p>N/a</p>

Gender – Using the information you have, discuss the possibilities for men and women to experience a different level of service or have different needs to access the service.

Positive – Actual or Potential	Negative – Actual or Potential
Our staff have experience of dealing with a wide range of customers and treat all of our customers with respect and dignity regardless of any protected characteristic	None.
Can these be improved further?	Can these be justified?
Ongoing staff training (staff attend equality and discrimination training or similar provided by the Council) and manager feedback following praise or criticism of the service where relevant.	
Are these being promoted?	If not, How can we mitigate or remedy any negative?
<p>We make it clear to service users that we can assist them where it is appropriate.</p> <p>The needs of all of our customers are promoted/ discussed at team meetings when required and through individual feedback at 1-2-1's.</p>	

Transgender – Using the information you have, discuss the possibilities for Transgender people to experience a different level of service or have different needs to access the service.

Positive – Actual or Potential	Negative – Actual or Potential
<p>Our staff have experience of dealing with a wide range of customers and treat all of our customers with respect and dignity regardless of any protected characteristic.</p>	<p>None</p>
<p>Can these be improved further?</p>	<p>Can these be justified?</p>
<p>Ongoing staff training (staff attend equality and discrimination training or similar provided by the Council) and manager feedback following praise or criticism of the service where relevant.</p>	
<p>Are these being promoted?</p>	<p>If not, How can we mitigate or remedy any negative?</p>
<p>We make it clear to service users that we can assist them where it is appropriate.</p> <p>The needs of all of our customers are promoted/ discussed at team meetings when required and through individual feedback at 1-2-1's.</p>	

Disability – Using the information you have, discuss the possibilities for people with disabilities to experience a different level of service or have different needs to access the service.

Positive – Actual or Potential	Negative – Actual or Potential
<p>Our staff have experience of dealing with a wide range of customers and treat all of our customers with respect and dignity regardless of any protected characteristic.</p> <p>The Hub reception area where we see customers face to face is fully accessible by wheelchair.</p> <p>We offer face to face appointments to assist service users where appropriate, such as where they find it difficult completing application forms due to dyslexia, etc.</p> <p>All of our forms and guidance are available in hard copy for those that have difficulty in accessing or no access to the internet and our website.</p> <p>Our website follows Web Accessibility Initiative's (WAI) Web Content Accessibility Guidelines (WCAG) Version 2, to a minimum level 'AA' standard.</p> <p>It also allows text to be viewed in different sizes and colours.</p> <p>It offers signposting for free screen readers.</p>	<p>None</p>
<p>Can these be improved further?</p>	<p>Can these be justified?</p>
<p>Ongoing staff training (staff attend equality and discrimination training or similar provided by the Council) and manager feedback following praise or criticism of the service where relevant.</p>	

Are these being promoted?	If not, How can we mitigate or remedy any negative?
<p>We make it clear to service users that we can assist them where it is appropriate.</p> <p>The needs of all of our customers are promoted/ discussed at team meetings when required and through individual feedback at 1-2-1's.</p>	

Religion or Belief – Using the information you have, discuss the possibilities for people with different religion or beliefs to experience a different level of service or have different needs to access the service.

Positive – Actual or Potential	Negative – Actual or Potential
Our staff have experience of dealing with a wide range of customers and treat all of our customers with respect and dignity regardless of any protected characteristic.	None
Can these be improved further?	Can these be justified?
Ongoing staff training (staff attend equality and discrimination training or similar provided by the Council) and manager feedback following praise or criticism of the service where relevant.	
Are these being promoted?	If not, How can we mitigate or remedy any negative?
<p>We make it clear to service users that we can assist them where it is appropriate.</p> <p>The needs of all of our customers are promoted/ discussed at team meetings when required and through individual feedback at 1-2-1's.</p>	

Sexual Orientation – Using the information you have, discuss the possibilities for people to experience a different level of service or have different needs to access the service based on their sexual orientation.

Positive – Actual or Potential	Negative – Actual or Potential
Our staff have experience of dealing with a wide range of customers and treat all of our customers with respect and dignity regardless of any protected characteristic.	None
Can these be improved further?	Can these be justified?
Ongoing staff training (staff attend equality and discrimination training or similar provided by the Council) and manager feedback following praise or criticism of the service where relevant.	
Are these being promoted?	If not, How can we mitigate or remedy any negative?
<p>We make it clear to service users that we can assist them where it is appropriate.</p> <p>The needs of all of our customers are promoted/ discussed at team meetings when required and through individual feedback at 1-2-1's.</p>	

Race or Ethnicity – Using the information you have, discuss the possibilities for people of different races or ethnic backgrounds to experience a different level of service or have different needs to access the service.

Positive – Actual or Potential	Negative – Actual or Potential
<p>Some service users may have difficulty using English, as it may not be their first language.</p> <p>Our staff have experience of dealing with a wide range of customers and treat all of our customers with respect and dignity regardless of any protected characteristic.</p> <p>We offer face to face appointments to assist service users where appropriate, such as where they find it difficult completing application forms due to their comprehension/ use of English.</p> <p>All of our forms and guidance are available in hard copy for those that have difficulty in accessing or no access to the internet and our website.</p> <p>Our website follows Web Accessibility Initiative's (WAI) Web Content Accessibility Guidelines (WCAG) Version 2, to a minimum level 'AA' standard.</p> <p>It also allows text to be viewed in different sizes and colours.</p> <p>It offers signposting for free screen readers.</p>	<p>See positive section.</p>
<p>Can these be improved further?</p>	<p>Can these be justified?</p>
<p>Ongoing staff training (staff attend equality and discrimination training or similar provided by the Council) and manager feedback following praise or criticism of the service where relevant.</p>	<p>Applicants that will deal with the general public and business transactions would be expected to have a</p>

	command of English sufficient to carry out that role.
Are these being promoted?	If not, How can we mitigate or remedy any negative?
<p>We make it clear to service users that we can assist them where it is appropriate.</p> <p>The needs of all of our customers are promoted/ discussed at team meetings when required and through individual feedback at 1-2-1's.</p>	

Socio-Economic Status – Using the information you have, discuss the possibilities for people to experience a different level of service or have different needs to access the service based on socio-economic factors such as low income, education levels, caring status, rural isolation.

Positive – Actual or Potential	Negative – Actual or Potential
<p>Some applicants may struggle to read and write English for various reasons.</p> <p>Our staff have experience of dealing with a wide range of customers and treat all of our customers with respect and dignity regardless of any protected characteristic.</p> <p>We offer face to face appointments to assist service users where appropriate, such as where they find it difficult completing application forms.</p> <p>All of our forms and guidance are available in hard copy for those that have difficulty in accessing or no access to the internet and our website.</p> <p>Our website follows Web Accessibility Initiative's (WAI) Web Content Accessibility Guidelines (WCAG) Version 2, to a minimum level 'AA' standard.</p>	<p>1. Corporate Council policy dictates that we cannot accept cash payments. This does cause difficulties for customers without a cheque book. We cannot currently accept card payments either.</p> <p>This does impact on some of our customers as we sometimes receive postal orders – unfortunately these cost more for the customer to make payment to us.</p> <p>2. See positive</p>

<p>It also allows text to be viewed in different sizes and colours.</p> <p>It offers signposting for free screen readers.</p>	<p>section.</p>
<p>Can these be improved further?</p>	<p>Can these be justified?</p>
<p>Ongoing staff training (staff attend equality and discrimination training or similar provided by the Council) and manager feedback following praise or criticism of the service where relevant.</p>	<p>1. This situation is outside of our control and I am not aware of the full reasoning for the change some years ago. Therefore, I cannot comment.</p> <p>2. Applicants that will deal with the general public and business transactions would be expected to have a command of English sufficient to carry out that role.</p>
<p>Are these being promoted?</p>	<p>If not, How can we mitigate or remedy any negative?</p>
<p>We make it clear to service users that we can assist them where it is appropriate.</p> <p>The needs of all of our customers are promoted/ discussed at team meetings when required and through individual feedback at 1-2-1's.</p>	<p>1. In any event we accept payment from our customers where they are able to ask a friend or family friend to provide a cheque on their behalf.</p>

Summary of findings and actions required

Positive Impacts – Actual or Potential

Summary of findings	
Due to the way we deliver our service and the levels of competence within our team we treat all customers equally and with respect.	
Actions required	
What can be done to promote?	We already promote this as set out above.
How will this be done?	Continue to work in the way that we do currently.
What resources are required?	Competent and trained staff.
Who will be responsible?	Capita from 1 st January 2017
When will this be done?	I cannot comment from that date.
How will this be measured?	Team meetings/ 1 to 1's/ assessment of praise/ criticism of the service.

Negative Impacts – Actual or Potential

Summary of findings	
The non – acceptance of cash payments seems to discriminate against customers in financial difficulties/ on low income/ potentially people that come to the country from the EU or beyond where they have difficulty in getting full access to the banking system through heightened security/ identification checking.	
Actions required	
What can be done to mitigate or remedy?	This was a corporate decision, but we are able to accept cash in 'extreme circumstances'. However, we avoid this as far as possible because it shows inconsistency to our customers and places staff in a difficult position the next time a customer asks to pay in cash.

How will this be done?	On request from a customer.
What resources are required?	Support from Finance Team.
Who will be responsible?	Principal Licensing Officer
When will this be done?	Ongoing basis
How will this be measured?	It will not be measured.

ONCE COMPLETED, SERVICE MANAGER MUST SIGN OFF AND SEND COMPLETED EIA FORM TO EQUALITY & DIVERSITY OFFICER TO BE APPROVED AT THE NEXT CEG MEETING. ALL ACTIONS WILL BE RECORDED BY CEG AND MONITORED AT EACH CEG MEETING UNTIL PROVEN OUTCOMES ARE ACHIEVED.