

Title of proposed EIA	Street Trading Policy
Reference No	EQUA446
EA is in support of	New Policy
Review Frequency	Annually
Date of first review	01/02/2022
Directorate	Neighbourhoods
Division	Regulation and Enforcement
Service Area	Street Trading
Responsible Officer(s)	<input type="checkbox"/> Sajeela Naseer
Quality Control Officer(s)	<input type="checkbox"/> Leroy Pearce
Accountable Officer(s)	<input type="checkbox"/> Tony Quigley
Purpose of proposal	To assess the final version of the Street Trading Policy 2020 against equality objectives
Data sources	Consultation Results; Other (please specify)
Please include any other sources of data	Local Government Miscellaneous Provisions Act 1982, various other street trading policies from other local authorities

ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS

Protected characteristic: Age	Not Applicable
Age details:	
Protected characteristic: Disability	Service Users / Stakeholders
Disability details:	<p>Street Trading consent holders will need to ensure that their mobile trading units are put in position and removed daily after trading. This may impact on people with disabilities disproportionately.</p> <p>Approximately 15 (9%) of the 170 respondents to the public consultation considered themselves to have a disability. No comments were made by any respondent which indicated that there was a view that the proposed requirement to remove the trading unit after trading disproportionately affected people with disabilities.</p>

Protected characteristic: Gender	Not Applicable
Gender details:	
Protected characteristics: Gender Reassignment	Not Applicable
Gender reassignment details:	
Protected characteristics: Marriage and Civil Partnership	Not Applicable
Marriage and civil partnership details:	
Protected characteristics: Pregnancy and Maternity	Service Users / Stakeholders
Pregnancy and maternity details:	Street Trading consent holders will need to ensure that their mobile trading units are removed daily after trading. This may impact on pregnant women disproportionately.
Protected characteristics: Race	Not Applicable
Race details:	
Protected characteristics: Religion or Beliefs	Not Applicable
Religion or beliefs details:	
Protected characteristics: Sexual Orientation	Not Applicable
Sexual orientation details:	
Please indicate any actions arising from completing this screening exercise.	None
Please indicate whether a full impact assessment is recommended	NO
What data has been collected to facilitate the assessment of this policy/proposal?	<p>The draft policy reflects the legal requirements of the Local Government Miscellaneous Provisions Act 1982.</p> <p>This final version of the policy has undergone public consultation. There were 170 respondents to 16 questions. No equality issues were raised during this consultation. Consultation was also carried out with: the Licensing and Public Protection Committee Birmingham City Council and Co-ordinating Overview and Scrutiny Committee Birmingham City Council. Furthermore a submission to the consultation was received from the Birmingham Street Traders Association, as well as briefing session to all interested current street traders.</p> <p>Analysis of the data did not indicate any specific equality issues that need to be considered.</p>
Consultation analysis	This draft policy has undergone public

consultation. There were 170 respondents to 16 questions. No equality issues were raised during this consultation. Consultation was also carried out with: the Licensing and Public Protection Committee Birmingham City Council and Co-ordinating Overview and Scrutiny Committee Birmingham City Council. Furthermore a submission to the consultation was received from the Birmingham Street Traders Association, as well as briefing session to all interested current street traders.

Analysis of the data did not indicate any specific equality issues that need to be considered.

Adverse impact on any people with protected characteristics.

Based on the current analysis of the draft policy there is a possibility that disabled street trading consent holders may be adversely affected if they are unable to set up and move their mobile trading unit after trading on a daily basis. However, this issue has not been raised by respondents during public consultation. It is also possible that trading units may be adapted to reduce any negative impacts of set up and removal. Also, this role may be fulfilled by employees/other parties known to the street trader.

There is a small possibility that pregnant women may be affected by this issue as well, however no data has been gathered with regard to this and it has not been raised in the public consultation. Street Traders are self employed people who would need to make changes to their working practices dependant on changing circumstances. Where reasonably possible and appropriate the Street Trading Service would seek to assist.

Could the policy/proposal be modified to reduce or eliminate any adverse impact? The draft policy enables the general conditions to the consent to be amended or added to. This would include an application to be exempt from moving the trading unit daily. However the primary concerns that

would enable this to be considered would be: public safety; prevention of crime and nuisance; and enhanced retail offer.

How will the effect(s) of this policy/proposal on equality be monitored?

Two street trading enforcement officers are employed and will gather data relating to any specific issues for a consent. The policy has a process where breaches of consent conditions can be considered using a disciplinary process. Consent holders need to reapply for a consent at least annually and at such a time the data collated will be considered.

What data is required in the future?

Applications for consents where applicants have specified that they have a particular protected characteristic that would prevent them complying with the general conditions of a consent.

Are there any adverse impacts on any particular group(s)

Yes

If yes, please explain your reasons for going ahead.

There is only a potential for people with disabilities to be affected. There is no evidence from current street trading consent holders and the public consultation that this is the case. The current and proposed consent application process enables applicants to apply for an exemption to moving their trading units daily. This application process enables the service to consider all applications on a case by case basis and where possible and appropriate then accommodation may be made to vary the consent conditions.

Initial equality impact assessment of your proposal

The data analysed does not indicate that any people with protected characteristics will be negatively impacted by this policy. However there is a possibility that some people with disabilities may be impacted by the need to set up and remove trading units from site on a daily basis. The policy enables applications to be considered on a case by case basis and for the conditions of the consent to be varied. However this could only be

varied. However this could only be done where appropriate and the need to meet the objectives of the policy and in particular the need to protect public safety; prevention of crime and nuisance; and provide enhanced retail offer will be paramount.

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

The data analysed does not indicate that any people with protected characteristics will be negatively impacted by this policy. However there is a possibility that some people with disabilities may be impacted by the need to set up and remove trading units from site on a daily basis. The policy enables applications to be considered on a case by case basis and for the conditions of the consent to be varied. However this could only be done where appropriate and the need to meet the objectives of the policy and in particular the need to protect public safety; prevention of crime and nuisance; and provide enhanced retail offer will be paramount.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

I have completed the initial quality check and now submit to the accountable officer for final approval.

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

Yes

Decision by Accountable Officer

Approve

Date approved / rejected by the Accountable Officer

04/09/2020

Reasons for approval or rejection

I have approved this EIA.

The consultation did not raise any specific concerns in respect of protected characteristics.

Further there is an opportunity for current operatives to raise concerns re consents on a case by case basis and for the LA to amend these concerns if appropriate.

Please print and save a PDF copy for your records

Yes

Julie Bach

☐ Tony Quigley

Person or Group

☐ Tony Quigley

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Created at 06/01/2020 03:58 PM by ☐ Sajeela Naseer

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