**Appendix 6 – Markets Fees and Charges: Equalities Impact Assessment**

**London Borough of Hackney**

**Equality Impact Assessment Form**

The Equality Impact Assessment Form is a public document which the Council uses to demonstrate that it has complied with Equalities Duty when making and implementing decisions which affect the way the Council works.

**Title and purpose of this Equality Impact Assessment:**

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| Markets/ Street Trading and Shop Fronts Fees and Charges for 2020/21 |

**Purpose of this Equality Impact Assessment:**

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| To determine the impact of proposed changes to the standard Fees & Charges for markets/street trading and shop fronts licences and trading in Hackney’s markets, street trading and shop front trading sites and locations. |

**Officer Responsible**:

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| **Name:Dan O’Sullivan** | **Ext:** 5981 |
| **Directorate**: Neighbourhoods and Housing | **Department/Division**: Parking, Markets & Street Trading |

* 1. **Please summarise the service, function, policy, initiative or saving.**

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| In summary, the primary drivers of fees and charges proposals discussed in this consultation are related to the following:   * Eradicating the markets account subsidy * Ensuring the Service fees & charges are “Hemming” Compliant * Levying fees & charges which better reflect the cost to the Council of providing the markets and street trading operation. * Levying fees & charges which better reflect the cost to the Council of providing the Shop Front trading operation. * Fairer and more consistent fees and charges. * Introduction of Tailored event charges to represent the true cost of events management and delivery in the London borough of Hackney * Encouraging shop front trading in Hackney to thrive and supporting new traders. * Encouraging markets & street trading in Hackney to thrive and supporting new traders. |

1. **Who are the main people that will be affected?**

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| Those people that will be directly impacted by the proposals (Market Street and Shop From Traders) include all licensed temporary and permanent street/shop front traders operating in Hackney and issued by the Council. This includes both holders of both temporary and permanent licenses (Market Traders Database as of September 2019), a total of approx. 695 licence holders in the London Borough of Hackney. This is Broken down into 148 Permanent Street traders, 321 Temporary Street Traders, 128 Permanent Shop front traders and 98 Temporary shop front traders.  Information retrieved from traders database indicates that:   * The majority of market traders are aged 26-55 (74% out of 695 records) and there are low representation of younger 16-25 (10% out of 695 records) or older people (+65) working in markets (7% out of 695 records). * The majority of market traders are male (72% of 695 records). Only 28% are female. * The majority of market traders classify themselves as "British" (39% of 695records) and other ethnic groups found in markets include African and African Caribbean, Jewish, Turkish/Cypriot and Asian albeit in much smaller numbers.   NB – The Service is unable to guarantee the revision of reliable information regarding trader Nationality, Ethnicity, Disability or Sexual Orientation. Although this information can be extracted from the system, it is not always provided by traders when applying for licences.    The legislation (London Local Authorities Act 1990) does not draw a distinction between those licence holders trading at a market or in front of a shop so one interpretation of the requirement to give notice to licence holders is that all should be consulted. For the purposes of clarification given this consultation does affect both Street traders and shop front traders we have seperated the consultation packs to ensure they are evaluated as separate entities in the same way they are managed by the service. In short all licenced traders affected by any proposals outlined and currently operating in Hackney and issued by the Council will also be contacted about this planned consultation. |

1. **What research or consultation(s) have been carried out?**

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| Pre-consultation discussions took place with different market associations, other individual traders, shop front licence holders, benchmarked vs other London boroughs. The proposed conditions were consulted on from the 18th November 2019 to the 31st of December 2019 for a period of seven weeks. The consultation was then extended for a further two weeks to the 15th of January 2020 to facilitate a submission from the RRMTA. On completion of the consultation a review of all submissions, comments and feedback received was undertaken and considered and amendments were made in accordance with the responses received; a formal decision to implement revised conditions will be required. It is anticipated that the conditions will take effect on 1st April 2020  Individual traders could take part in four ways:   * Paper Survey – A paper survey was posted to all licenced street traders together with all relevant supporting information including the consultation document, summary of proposed changes & freepost return envelope. Information was also provided on how to obtain further information and on how to complete the survey online. * Further copies were also available at the drop-in events or on request from Market Services. * Online Survey – An exact replica of the paper survey was created on the Council’s ‘Citizen Space’ consultation hub, including links to all relevant consultation material. * Attendance at a drop-in sessions (please see below for details) * During on-site engagement with traders by market staff (please see below for details)   All licence holders received a copy of the consultation pack directly to their home addresses. These were posted to them before the 18th November 2019, including information on engagement activities such as drop-in sessions.  Posters were placed prominently across the market sites to both inform traders of the consultation and of the dates, times and locations of the drop-in sessions.  A further email was sent to all active licence holders who have provided an email address to the service as part of their licence application on the 15th of November and on the 19th of November 2019 to remind them of the dates for the closure of the consultation, provided links to the online hub and consultation documentation and details of the drop in sessions.  **Drop-in sessions**  There were a total of eight drop-in events organised for traders at different times and days of the week to enable as many as possible to attend should they wish, with Market Officers present to discuss the proposed changes with traders and answer any questions that they may have. The team recorded all questions and feedback from the drop in sessions separately. Please see link below:  <https://docs.google.com/spreadsheets/d/1FiIjWCVgKcK-u0eL9d1GLWoRBx8FDIRkeJudWyU2mE4/edit?usp=sharing>  The sessions took place at both the Parking and Markets and Street Trading offices, on the following dates:  **Location:** **2b(ii), Kingsland Shopping Centre, Kingsland High Street, Dalston E8 2LX**  11th November: 11am - 12pm  15th November: 3pm - 4pm  19th November: 12pm - 1pm  26th November: 4pm - 5pm  **Location:** **136-142 Lower Clapton Road, London E5 0QD**  13th November: 5pm - 6pm  18th November: 5pm - 6pm  19th November: 5pm - 6pm  21th November: 2pm - 3pm  **Meeting with Ridley Road Traders - 21st November 2019**  Some of the Ridley Road traders expressed interest in having a separate meeting for Ridley Road traders only. This was accommodated based on the traders requests to have a meeting on a Wednesday or Thursday around lunch time.This was provided in the form of two (2) additional drop in sessions in the townhall and a further one (1) additional drop in session on the evening of the 5th of december 2019 bringing the total drop in sessions to 11 throughout the consultation process.  Please see the following link for notes of the meeting: <https://docs.google.com/spreadsheets/d/1FiIjWCVgKcK-u0eL9d1GLWoRBx8FDIRkeJudWyU2mE4/edit?usp=sharing>  **Feedback response from the RRMTA - 15th January 2020**  The Ridley Road Markets Traders Association (RRMTA) requested additional time to provide their feedback on the revised terms and conditions which was granted to them by the Head of Service.  See the feedback received from the RRMTA and the response the Council provided by going to the following link: <https://docs.google.com/spreadsheets/d/1FiIjWCVgKcK-u0eL9d1GLWoRBx8FDIRkeJudWyU2mE4/edit?usp=sharing>.  The proposals were advertised both in the Hackney Gazette and on the Hackney Council website, which will also hold a copy of the booklet.  All representations received have been considered and placed in an appendix within this subsequent delegated report recommending changes.  The proposed terms and conditions have been finalised and traders will be notified and a notice placed in local newspapers. There will be at least 28 days’ notice from the date of publication of the newspaper notice before any amendments to fees and charges take effect. |

1. **Equality Impacts**

**4 (a) What positive impact could there be overall, on different equality groups, and on cohesion and good relations?**

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| Overall:  A fairer and more transparent charging system for market/street and shop front traders. No differential impact was found on other specific groups.  Market/Street/Shop Front Traders:  In order for the Council to eradicate the subsidy and become a fully self financing service as prescribed in the LLA 1990, it needs to increase fees and charges, but traders will benefit from the Council’s approach in the long term. By reviewing fees and charges regularly by adding in the RPI yearly index along with looking to reduce costs and increase revenue through development of existing and new sites to the portfolio and growing occupancy levels year on year the Council will stop subsidising fees and running the markets will be cost-neutral.  The proposed fee structure is “Hemming compliant” and fairer because it incorporates higher fees/charges for trading in fruit and vegetables and street food to reflect the additional costs associated with managing and disposing of fruit and vegetable and food waste. It also proposes different fees/charges for each market within the borough to reflect the different costs associated with running each market and the volume of footfall and commercial revenue making opportunity. They also reduce fees where footfall and commercial revenue opportunities are decreasing.  The Council continues to invest to improve trade for current traders, create jobs for a new generation of traders and provide a varied offer for customers and residents who require a range of pricing options.  Prices have been kept low and are comparable with other London boroughs. They should encourage traders onto the markets and street trading sites and for existing business es to expand their operation by taking out a shop front licence. The Council will continue to develop schemes such as Trading places for new traders to expand employment opportunities on the markets and running social media and other marketing campaigns to raise awareness and drive footfall.  By providing tools to develop and supporting traders and taking steps to proactively fill empty pitches and open up new misc sites across the borough attracting more traders, an estimated 100 jobs could open up at Hackney’s markets in the next three years for a new generation of traders.  There are no perceived specific equality impacts on different equality groups. |

**4 (b) What negative impact could there be overall, on different equality groups, and on cohesion and good relations?**

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| Market/Street/Shop Front Traders:  Increases in fees and charges for traders in the borough could be unaffordable for some traders. However market trading is still a very affordable option for entering into retailing for new entrepreneurs and for existing businesses and traders to expand their enterprise and this will be further encouraged and supported by the Council and the Trader Associations. The Markets service is committed to growing its existing portfolio and providing more locations to trade and growing occupancy in its existing portfolio of sites as it has doen in 207/18 by 3% and 2018/19 by 15% and currently in 2019/20 by 5%.  Hackney has reduced its management costs by restructuring the markets services and in the process saving £43k per annum while increasing the head count to provide more resource to support traders and deliver the service. We are committed to working with traders to reduce waste costs and will be consulting on new terms and conditions in 2019 to improve compliance on this. Without these measures, Hackney may have had to propose raising fees and charges further.  Hackney markets will continue to be cheaper for permanent traders in order to encourage casual traders to apply for permanent licences to bring greater stability to Hackney’s markets and enable better long term planning.  If fees are raised too high and result in reduced market occupancy this would damage the offering of good quality affordable food and products to local people. Research shows those in lower income groups use the markets particularly as an affordable way of shopping.  There are no negative impacts from the decisions taken in the report |