

EQUALITY IMPACT ASSESSMENT (EIA) FORM

Name of Policy:	Management of ECDC owned moorings at Ely Riverside
Lead Officer (responsible for assessment):	Julie Cornwell, Partnerships Officer
Department:	Commercial Services
Others Involved in the Assessment (i.e. peer review, external challenge):	
Date EIA Completed:	12/02/15

What is an Equality Impact Assessment (EIA)?

As part of any effective policy development process, it is important to consider any potential risks to those who will be affected by the policy's aims or by its implementation. The Equality Impact Assessment (EIA) process helps us to assess the implications of our decisions on the whole community, to eliminate discrimination, tackle inequality, develop a better understanding of the community we serve, target resources efficiently, and adhere to the transparency and accountability element of the Public Sector Equality Duty.

The word 'policy', in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision.

(a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

To implement an effective management solution for the moorings owned by the District Council along the Ely riverside, which allows the area to be enjoyed by visitors and residents and supports the local economy.

This will require the implementation of a management regime based on contract law. The precise approach will not be known until Commercial Services Committee make a decision at their meeting on 3rd March 2015.

(b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

Boaters, residents, businesses, other public sector organisations such as the Environment Agency, Ward Members.

(c) **Is the EIA informed by any information or background data (quantitative or qualitative)?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

The Council recognises that a means of regulating the moorings is essential, to reduce the number of complaints (over 50 from May 2014 – Nov 2014), to meet the expectations of boaters and to meet our responsibilities as a landowner.

A consultation was carried out with boaters and a separate consultation was carried out with other stakeholders. The consultation results are attached.

(d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics? (please tick all that apply)

Ethnicity	<input type="checkbox"/>	Age	<input type="checkbox"/>
Gender	<input type="checkbox"/>	Religion and Belief	<input type="checkbox"/>
Disability	<input type="checkbox"/>	Sexual Orientation	<input type="checkbox"/>
Gender Reassignment	<input type="checkbox"/>	Marriage & Civil Partnership	<input type="checkbox"/>
Pregnancy & Maternity	<input type="checkbox"/>	Caring Responsibilities	<input type="checkbox"/>

Please explain any impact identified: i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

The decision on what approach to managing the moorings the Council will take, should not have an impact on any of the groups defined above any more than anyone not having those characteristics.

The main impact of implementing (or not implementing) any scheme will be on boaters and on the Council officers who will be involved in managing the moorings. I would not define 'boaters' as a group as defined in the equalities act – rather they are a group of people that all enjoy the same leisure activity/pastime.

(e) Does the policy have a differential impact on different groups?

YES/NO/Na

(f) Is the impact adverse (i.e. less favourable)?

YES/NO/Na

(g) Does it have the potential to disadvantage or discriminate unfairly against any of the groups in a way that is unlawful?

YES/NO/Na

(h) How have you engaged stakeholders in gathering evidence or testing the policy proposals? Who was involved, how and when where they engaged? Does the evidence show potential for differential impact? How will you mitigate any negative impacts? Where there is the potential for an adverse impact that cannot be addressed immediately, these should be highlighted in your recommendations and objectives at the end of the EIA.

An extensive consultation exercise was carried out with stakeholders and several boating associations helped the Council to circulate the consultation questionnaire. The main issue highlighted is that not all of the respondents want the same management solution to be introduced. The boaters have high expectations around what facilities they would like at the Riverside and how the moorings should be managed, but this does not sit well with the fact that boaters would like there to be a period of free mooring, as this limits what the Council can deliver (as Community Services Committee have already agreed that the moorings should be cost neutral to the Council).

* The Consultation Register is available to assist staff in consulting with the Council's stakeholders.

(i) Summarise the findings of your research and/or consultation (please use a separate sheet if necessary).

The main conclusions that can be drawn from the consultation are:

- Respondents felt that the most appropriate duration for visitor moorings are '48 hours, no return for 48 hours'.
- There are not enough opportunities for visitors to moor in Ely, particularly during the boating season.
- Given that only 3.4% of boaters that responded to the consultation indicated that they would stay over 48 hours in Ely, this provides a strong indication that the Council could not generate enough income to cover the costs of a management regime from charging boaters after a free mooring period of 48 hours.
- The results also suggest it is highly unlikely that the Council could generate enough income from the moorings if it charged a small fee after a 24 hour period of free mooring.
- Having a period of free mooring would be popular with boaters.
- Having a section of winter residential moorings to offset the costs of keeping the remaining moorings free to visitors was popular with some respondents (it was the 2nd most preferred option), but equally, many respondents strongly felt that the Council should not provide residential moorings (either on a winter or permanent basis).
- Permanent (non residential) moorings are not well supported.
- Some comments around existing riverside facilities highlight health and safety issues that the Council should address as a priority.
- Some of the suggestions and observations around facilities provide an opportunity for the Council to expand its offer for boaters whilst remaining cost neutral (such as the provision of 'pay as you go' electricity points).

The summary results and the full compiled results are attached.

The consultation results and my work on the potential costs and income generation opportunities lead me to conclude that whilst the moorings could be monitored at no additional cost to the Council, the cost of effectively enforcing a period of visitor moorings will come at an additional cost. The option of not charging immediately upon arrival for mooring, whilst being popular with boaters initially, will I suspect lead to frustration that the service cannot improve/develop.

(j) What are the risks associated with the policy in relation to differential impact and unmet needs/requirements? i.e. reputation, financial, breach of legislation, service exclusion, lack of resources, lack of cooperation, insufficient budget etc.

The request by some elected Members for the report not to include an option of charging immediately upon mooring to offset the costs of effective mooring management, has led to a recommendation in the Committee report that the Council does not continue to lease an area of moorings from the Environment Agency. This £4,000 saving can then be reinvested in providing consistent and frequent monitoring, which must happen in order for any scheme to be effective. However, stakeholders have not been consulted on this option and as a result the Council is at risk of challenge around the failure to consult. The impact of not leasing these moorings from the E/A is that there will be less ECDC controlled moorings available for visitors. It may be however, that the E/A continue to offer this stretch for visitor moorings – but that is a matter for them.

(k) Use the information gathered in the earlier stages of your EIA to make a judgement on whether there is the potential for the policy to result in unlawful discrimination or a less favourable impact on any group in the community, and what changes (if any) need to be made to the policy.

I cannot answer the question below at this point as I do not know whether members will approve the recommendations contained in the report.

Option 1:	No major change - the evidence shows that the policy is robust and no potential for discrimination.	
Option 2:	Adjust the policy - to remove barriers or to better promote equality.	
Option 3:	Continue the policy - despite potential for adverse impact or missed opportunity to promote equality, provided you have satisfied yourself that it does not unlawfully discriminate.	
Option 4:	Stop and remove the policy – if the policy shows adverse effects that cannot be justified.	

(l) Where you have identified the potential for adverse impact, what action can be taken to remove or mitigate against the potential for the policy to unlawfully discriminate or impact less favourably on one or more communities in a way that cannot be justified? Include key activities that are likely to have the greatest impact (max. 6). Identified actions should be specified in detail for the first year but there may be further longer term actions which need to be considered. To ensure that your actions are more than just a list of good intentions, include for each: the person responsible for its completion, a timescale for completion, any cost implications and how these will be addressed. It is essential that you incorporate these actions into your service plans.

In recognition of the potential resource issues that may/may not arise once the management system is in place, the scheme will be reviewed in a years' time or sooner. It may be at that point that the Council will have to reconsider its options.

This completed EIA will need to be countersigned by your Head of Service. **Please forward completed and signed forms to the Principal HR Officer.**

All completed EIAs will need to be scrutinised and verified by the Council's Equal Opportunities Working Group (EOWG) and published on the Council's Intranet to demonstrate to local people that the Council is actively engaged in tackling potential discrimination and improving its practices in relation to equalities. Please be aware that you may be asked to attend a half-an-hour session to summarise the findings of the EIA to the Scrutiny and Verification panel.

Signatures:



Completing Officer: _____ **Date:** 12/02/15

Head of Service: _____ **Date:** _____