

<b>Name of the activity being assessed</b>	Darwen 3 day market proposals				
<b>Directorate / Department</b>	Growth & Prosperity	<b>Service</b>	Property & Development	<b>Assessment lead</b>	Andrew Bond
<b>Is this a new or existing activity?</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Existing	<b>Responsible manager / director for the assessment</b>		Brian Bailey	
<b>Date EIA started</b>	Click here to enter a date.	<b>Implementation date of the activity</b>		17/06/2016	

**SECTION 1 - ABOUT YOUR ACTIVITY**

<b>How was the need for this activity identified?</b>	<p>The <a href="#">previous Executive Board report</a> summarised the occupancy details for the main Six Day Market, the Annexe and the Three Day Market. The Three-Day has 66 stalls and 18 traders occupying 26 stalls. A further 6 stalls are used for build out in order fill empty stalls and temporarily improve the trading environment. Ignoring the build out stalls, 60% of stalls are vacant.</p> <p>Building Condition and M&amp;E surveys identified that the Three Day Market and its immediate external public areas alone require in excess of £200,000 of repair and maintenance including asbestos removal, roof &amp; floor repairs, electrical and external works. Whilst these works would put the Market into repair they would not address the fundamental functional and economic obsolescence, improve the trading environment or help increase occupancy.</p> <p>A full refurbishment is estimated to cost in the region of £1,680,000. However, these works would not deal with the obsolescence issues and cannot be regarded as economic as the investment would not generate any meaningful benefits.</p>
<b>What is the activity looking to achieve?</b>	The current occupancy levels, costs of repair and/or refurbishment and underlying obsolescence all indicate that closure of the Three Day Market and demolition would be the preferred option rather than further investment in the existing structure.
<b>What are the aims and objectives?</b>	Following the February report consultation has now been undertaken with market traders in connection with relocation options and with members of the public and stakeholders in connection with possible future plans for the site.
<b>Services currently provided (if applicable)</b>	The market site is currently open 3 days a week but as already stated in previous papers, the site has low stall occupancy levels and requires extensive repair in order to be considered fit-for-purpose, however the repair programme would fail to address the low occupancy levels of the site.
<b>Please outline recommendations that have been identified for implementation following a review of the activity.</b>	It has been recommended that the traders move to the 6 day market site following a series of accommodation upgrades to the 6 day market and the Annexe. Ensuring that all the upgrades comply with DDA regulations and ensure that the site remains accessible to all residents and visitors irrespective of any protected characteristics.
<b>Type of activity</b>	<input type="checkbox"/> Budget changes <input checked="" type="checkbox"/> Change to existing activity <input checked="" type="checkbox"/> Decommissioning <input type="checkbox"/> Commissioning <input type="checkbox"/> New activity <input type="checkbox"/> Other [ <a href="#">please state here</a> ]

**SECTION 2 - UNDERSTANDING YOUR CUSTOMER****Who else will be involved in undertaking the equality analysis and impact assessment?**

*Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.*

Colleagues from Legal and Property services have been involved, and consultancy reports have been provided by Capita.

**Who are you consulting with? How are you consulting with them? (Please insert any information around surveys and consultations undertaken)**

A trader consultation was completed following the executive Board meeting in February 2016. The trader consultation commenced with individual 1:1 consultations with 16 traders (2 were unavailable). Of those, 14 indicated they would be willing to relocate although some of these had reservations, and 2 of the 16 traders have now given notice to leave the market. The concerns expressed included:

- The requirement to trade six days rather than three
- The level of rent and other outgoings
- Whether Wi-Fi would be available
- The amount of compensation offered
- The requirement to complete a formal lease
- The amount of space available for traders relocating
- Relocation timescales
- The application process for stalls in the Six Day Market and Annexe
- The future of the Three Day Market site, and
- User clauses, access and servicing

Most of these concerns were dealt with in a set of FAQs issued to traders following the 1:1s although some are ongoing, e.g. the future of the Three-Day site. The concerns about rent and outgoings should be addressed by a commitment to peg rent levels at the same rent (or less) than currently paid in the Three Day Market. Officers in the Markets and Property teams will formulate an application and stall allocation process for traders wishing to relocate to the Six Day Market or the Annexe. The process will be straightforward but transparent so that the criteria for stall allocations are clear to traders at the outset.

A public consultation also took place which focussed on the future of the 3 day market site; it was launched on the 21<sup>st</sup> March and ended in May. Key themes that emerged from the consultation include:

- The opportunity for a multifunctional space to attract residents to the town centre
- More events and pop up markets and stalls desired
- The opportunity to build on the growing and very busy night time economy in Darwen
- The importance of Darwen markets as part of the heritage of the town
- Better retail and leisure offer

A petition was also submitted against the closure of the site arguing that the site is a longstanding institution in the town.

<b>Who does the activity impact upon?*</b>	Service users	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly
	Members of staff	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Indirectly
	General public	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly
	Carers or families	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly
	Partner organisations	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly

<p><b>Does the activity impact positively or negatively on any of the protected characteristics as stated within the Equality Act (2010)?*</b></p> <p><b>The groups in blue are not protected characteristics (please refer to p. 3 of the guidance notes)</b></p>	Positive impact	<input type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> <b>Vulnerable groups</b>
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> <b>Deprived communities</b>	<input type="checkbox"/> <b>Carers</b>
	Negative impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> <b>Vulnerable groups</b>
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> <b>Deprived communities</b>	<input type="checkbox"/> <b>Carers</b>
	Don't know	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> <b>Vulnerable groups</b>
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> <b>Deprived communities</b>	<input type="checkbox"/> <b>Carers</b>

**\*If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.**

**Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty?** *Refer to p.3 of the guidance for more information*  
***A public authority must have 'due regard' (i.e. consciously consider) to the following:***

DUTY	DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN
<b>Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act</b> <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i>	<p>The decision to relocate traders from the 3 day market site is motivated by the current condition of the site itself, which is in disrepair as detailed in the building condition survey report and the M&amp;E condition report, the low occupancy levels of the site itself and the fundamental obsolescence of the 3 day market..</p> <p>The Council is committed to ensuring that the 6 day market site and Annexe have the necessary repairs made to them prior to the traders moving in, these upgrades will ensure that the site is accessible to all visitors, and that the site on the whole is in a better condition for all traders and visitors.</p>
<b>Advance equality of opportunity between those who share a protected characteristic and those who do not</b> <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i>	
<b>Foster good relations between people who share a protected characteristic and those who do not</b> <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	

ASSESSMENT	Is a full EIA required?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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Please explain how you have reached your conclusion *(A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts)*

The decision to close the 3 day market site and relocate the traders to the 6 day site and Annexe will have no negative impacts on any of the protected characteristics but will in fact ensure that the 6 day market site is accessible to all. The decision to close the site is due to the current low occupancy levels and the state of disrepair. It is not financially feasible for the Council to carry out the repairs to the site as stated in the Executive Board report and therefore it has been recommended that the site be offered up as a redevelopment opportunity which will offer enhanced facilities in the public realm in the town centre. Any concerns expressed by traders, shoppers and other stakeholders will be addressed through continuing engagement and consultation at key stages of the redevelopment process.

<b>Assessment Lead Signature</b>		<b>Date</b>	<b>01/06/2016</b>
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