

# Record of Equality and Rights Impact Assessment

## Part 1: Background and Information

### (a) Background Details

Please list ERIA background details:

**ERIA Title and Summary Description:** Summer Entertainment East Princes Street Gardens

Service Area	Division	Head of Service	Service Area Reference No.
Parks, Greenspace and Cemeteries	Place	David Jamieson 23/11/17	2017P141

### (b) What is being impact assessed?

Describe the different policies or services (i.e. decisions, projects, programmes, policies, services, reviews, plans, functions or practices that relate to the Corporate ERIA Title):

Policies and Services	Date ERIA commenced
A proposal to hold an event, historically a large ferris wheel in East Princes Street Gardens in July and August 2018 - 2021	October 2017

**(c) When is it due to be reviewed?** (insert furthest away date if question relates to a number of review dates) **Annually**

### (d) ERIA Team

Please list all ERIA Team Members:

Name	Organisation / Service Area
Sarah Murphy	Parks, Greenspace and Cemeteries, Place
Graeme Craig	Parks, Greenspace and Cemeteries, Place

## Part 2: Evidence and Impact Assessment

### (a) Evidence Base

Please record the evidence used to support the ERIA. Any identified evidence gaps can be recorded at [part 3a](#). Please allocate an abbreviation for each piece of evidence.

Evidence	Abbreviation
Officer Knowledge	OK
The Edinburgh Parks Events Manifesto	EPEM
Procurement	Tender

### (b) Rights Impact Assessment – Summary

Please describe all the identified enhancements and infringements of rights against the following ten areas of rights. Please also consider issues of poverty and health inequality within each area of rights:

- Life
- Health
- Physical security
- Legal security
- Education and learning
- Standard of living
- Productive and valued activities
- Individual, family and social life
- Identity, expression and respect
- Participation, influence and voice

Please indicate alongside each identified enhancement or infringement the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

#### Summary of Enhancements of Rights

As part of the procurement process, the proposal will be assessed on its own merits and we ensure that the applicants are aware of their Equality and Rights duties as part of the application process. All of the bids must align with the Edinburgh Parks Manifesto and the Park Management Rules, both of which were subject to Equalities and Rights Impact Assessments.

#### Enhancement of Rights

The competitive process means that the Council are likely to receive a larger receipt than if dealing with a single request for an event. The anticipated increase in funds will go towards the upkeep of all parks in Edinburgh. This will enhance Health, Physical Security and Standard of Living for users of these parks.

The requirement that businesses comply with the Equalities Act 2010 positively impacts the Council's Legal Security, as the Council has a legal duty to comply with this Act (Policy).

### Summary of Infringement of Rights

Can these infringements be justified? Are they proportional?

The increased activity in the park may have some negative impact on local residents' and businesses' Productive and Valued Activities, and Standard of Living. This will be taken into account during the assessment and scoring of the bids, and the successful bidder will be obliged to consult with local community prior to the event and to mitigate as many concerns as possible.

As the tender process will be competitive, the level of tenders may exclude some event organisers whose operations are not at a higher financial level, and would negatively impact participation, influence and voice. This is considered to be mitigated by the positive impact which an increased receipt will generate

The tender may be responded to by event organisers who wish to hold events which are inappropriate for the space, or whose content does not align with Council priorities. This will be mitigated by the tender specification, the Quality/Quantity ratio and adhering to the Parks Manifesto.

### (c) Equality Impact Assessment – Summary

Please consider all the protected characteristics when answering questions 1, 2 and 3 below. Please also consider the issues of poverty and health inequality within each protected characteristic:

- Age
- Disability
- Gender identity
- Marriage / civil partnership
- Pregnancy / maternity
- Race
- Religion / belief
- Sex
- Sexual orientation

1. Please describe all the positive and negative impacts on the duty to eliminate unlawful discrimination, harassment or victimisation. Please indicate alongside each identified impact the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

#### Positive Impacts

To be included in the tender contractors are required to confirm that they have complied with the Equality Act 2010 and agree to continue to comply with the Act in a manner which is proportionate and relevant to the nature of the contract. This includes promoting equality and rights issues, ensuring they do not discriminate directly or indirectly and make the authority aware of any investigation or proceedings brought against the contractor under the Act. This ensures that the successful supplier has a robust record of equality and rights.

#### Negative Impacts

There are no anticipated negative impacts in relation to unlawful discrimination, harassment or victimisation.

2. Please describe all the positive and negative impacts on the duty to advance equality of opportunity (i.e. by removing or minimising disadvantage, meeting the needs of particular groups that are different from the needs of others and encouraging participation in public life)? Please indicate alongside each identified impact the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

<b>Positive Impacts</b>
<p>Large events are subject to the Events Planning Operations Group (EPOG). This group, chaired by Public Safety, is a multi agency team that brings police, fire and medical personnel together along with all relevant council departments to ensure an experienced team oversees a co-ordinated approach to the planning and delivery of all events in the City. This group is involved in the planning and safe delivery of the many events that take place within the city. It covers all details to ensure that an event is physically accessible and, where possible, caters for a wide range of visitors which would advance the equality of opportunity for various groups with protected characteristics, including Disability, Pregnancy/Maternity and Age. OK</p> <p>Having a compulsory Equalities and Rights element will mean tenderers must devise and implement policies to meet the Council's procurement requirement if they wish to take part in the tender (OK, Tender).</p> <p>The importance placed by the Council on Equalities and Rights as part of the tendering process adds to a culture of awareness of differing needs within the UK as a whole, and potentially internationally, and may encourage businesses to think about groups with differing needs outwith their involvement with the Council (OK, Tender). It also openly demonstrates the Council's commitment to the advancement of equality of opportunity (OK)</p>
<b>Negative Impacts</b>
<p>Events that charge an entrance fee could be seen as disadvantaging those individuals recognised as being on a low income or living in poverty. Event organisers are encouraged to build in discount schemes for local residents. It is understood that some events are not financially viable without charging a fee and it is considered that as many events are free of charge that a satisfactory balance is arrived at. OK</p> <p>Occupation of a park by an event may result in access issues for wheelchair users, the visually impaired and other people with disabilities. In addition, those with pushchairs may also experience issues. The Community Parks Officers liaise closely with organisers ensuring that alternative access routes are temporarily provided and adequate, appropriate signage is in place which goes some way to mitigate this issue. Any remaining impact is usually held to be proportionate given the wider benefits from the events. The successful bidder will be expected to cater for all attendee's to ensure that the event is open to all regardless of ability. OK</p>

3. Please describe all the positive and negative impacts on the duty to foster good relations (i.e. by tackling prejudice and promoting understanding)? Please indicate alongside each identified impact the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

<b>Positive Impacts</b>
Events bring people of all ages, walks of life and physical ability together promoting inclusiveness. OK
The increase in popularity in hosting events in Edinburgh's parks demonstrates the Council's commitment to advance the equality of opportunity and encourages a wide range of people to participate in public life OK
<b>Negative Impacts</b>
Non identified

### Part 3: Evidence Gaps, Recommendations, Justifications and Sign Off

#### (a) Evidence Gaps

Please list all relevant evidence gaps and action to address identified gaps.

Evidence Gaps	Action to address gaps
Non identified	

#### (b) Recommendations

Please record SMART recommendations which may include actions to

- (i) eliminate unlawful practice or infringements of absolute rights;
- (ii) justify identified infringements of rights; or
- (iii) mitigate identified negative equality impacts
- (iv) further advance equality and rights, and promote good relations.

Recommendation	Responsibility of (name)	Timescale

#### (c) Sign Off

I, the undersigned, am content that:

- (i) the ERIA record represents a thorough and proportionate ERIA analysis based on a sound evidence base;
- (ii) the ERIA analysis gives no indication of unlawful practice or violation of absolute rights;
- (iii) the ERIA recommendations are proportionate and will be delivered;
- (iv) the results of the ERIA process have informed officer or member decision making;
- (v) that the record of ERIA has been published on the Council's website / intranet, or
- (vi) that the ERIA record has been reviewed and re-published.

<b>Date</b>	<b>Sign Off (print name and position)</b>	<b>Reason for Sign Off</b> (please indicate which reason/s from list (i) to (vi) above)
16/11/17	Sarah Murphy, Senior Technical Officer, Parks, Greenspace and Cemeteries	i, ii, iii,
28/11/17	David Jamieson, Parks, Greenspace and Cemeteries Manager	i, ii, iii,