

Equality, Diversity, Cohesion and Integration Impact Assessment

Appendix 2



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration. In all appropriate instances we will need to carry out an equality, diversity, cohesion and integration impact assessment.

This form:

- can be used to prompt discussion when carrying out your impact assessment
- should be completed either during the assessment process or following completion of the assessment
- should include a brief explanation where a section is not applicable

Directorate: City Development	Service area: Economic Services
Lead person: Sue Burgess/ Stacey Walton	Contact number: 0113 3781950
Date of the equality, diversity, cohesion and integration impact assessment: Updated November 2014	

1. Title: Kirkgate Market Improvement and Refurbishment Scheme			
Is this a:			
<input type="checkbox"/>	Strategy /Policy	<input checked="" type="checkbox"/>	Service / Function
		<input type="checkbox"/>	Other
If other, please specify			

2. Members of the assessment team:

Name	Organisation	Role on assessment team e.g. service user, manager of service, specialist
Sue Burgess	LCC, Kirkgate Market	Manager of service
Stacey Walton	LCC, Asset Management	Technical Support Officer
Chris Coulson	LCC, Asset Management	Executive Officer
Manjit McKenzie	LCC, Policy Performance & Improvement	Performance & Improvement Manager
Geoff Turnbull	LCC, Citizens & Communities	Senior Policy & Performance Officer

3. Summary of strategy, policy, service or function that was assessed:

Introduction

Kirkgate Market has been given Executive Board approval to undertake a multi-million pound improvement and refurbishment scheme. This scheme will integrate with a separate, developer led scheme not covered by this Equality Impact Assessment (EIA) exploring options for improvements to the George Street frontage of Kirkgate Market which will form its main interface with the new Victoria Gate shopping and leisure development from 2017.

The Council (the applicant) submits below information in support of having given due regard to recognised protected characteristics, in the form of an Equalities Impact Assessment.

Comments raised by members of the public in respect of the planning application have raised a number of questions which the applicant believes have already been addressed throughout the various stages of the development of the proposals, and wishes therefore to submit supplementary information in support of the application to demonstrate this.

The applicant believes that this additional information will be of assistance to both LPA officers and Plans Panel in assuring themselves that due regard has been adequately addressed.

It should be noted that the application is not for a material change of use, as the use of the asset will remain the same post-development, and that the need for planning and listed building consent generally arises from the Grade I listed status of the building.

Background to the scheme

The Council is committed to substantial improvements in the retail offer of Leeds city centre. In bringing forward substantial investments in its retail core such as Trinity Leeds shopping centre, Victoria Gate which includes the biggest John Lewis store to be built outside London, and investing in the development of a vibrant independent retail offer through schemes such as Kirkgate Townscape Heritage Initiative, restoration of the First White Cloth Hall, and £12.3m refurbishment of Kirkgate market, the Council will support the city to achieve a step change in its status as a retail destination which will mark it as a centre of national importance.

The proposed improvement and refurbishment of Kirkgate Market is consistent with the Best Council Plan 2013 – 17 in terms of promoting sustainable and inclusive economic growth by maximising employment opportunities for local residents. Kirkgate Market is in a prime retail location in the heart of the city centre. It is a Grade 1 Listed building and is the oldest and largest retail destination in Leeds, having a significant impact on the economy of the city.

It is essential to improve the Market to make it more attractive to today's customers and traders, securing its growth for the future by investing to address its maintenance and capital investment requirements to meet customer expectations and expand its customer base, by attracting some of the estimated 10 million customers per annum that will visit the adjacent Victoria Gate development when it opens in 2016. When complete, the

improvements to Kirkgate Market, combined with the opening of the adjacent Victoria Gate development will transform the retail offer of the City.

The Victoria Gate development incorporates a 250,000 sq ft John Lewis department store, 100,000 sq ft of new shop and leisure units, a 50,000 sq ft casino and circa 800 space multi storey car park that is anticipated to attract millions of customers to the vicinity of the market.

A key element of the rationale for refurbishment is to ensure, as far as possible, that Kirkgate Market tenants can also benefit from the spending power of these potential millions of shoppers by creating a welcoming and attractive environment which combines modern day customer expectations with the unique character of a market.

The multi-million pound estimated project cost of the Kirkgate Market refurbishment scheme, which will take place between January 2015 and Autumn 2016, reflects the commitment of the Council to a viable future for the Market. A further scheme to develop the George Street frontage of the market is currently out to tender and this scheme is anticipated to begin in 2016 and finish in 2017.

The Kirkgate Market refurbishment scheme would see:

- Replacement of the roof covering of the 1976 and 1981 halls;
- Improvement to ventilation throughout the building but in particular to the current Fish & Game Row which is proposed to become the fresh food zone;
- Introduction of a Covered Daily Market (CDM) in the 1976 hall;
- Creation of an events space in the 1976 hall adjacent to the CDM;
- Recreation of a blockshop which replaces the 1875 blockshop on the current Fish & Game Row destroyed in the 1975 fire;
- Replacement, upgrade and improvement to drainage;
- Replacement to floor surfaces and/or upgrade to floor coverings;
- Improvements to way finding and signage;
- Creation of a fresh food zone by bringing together the butchers and fish traders
- Introduction of a 'market village' that could respond to a day and evening economy;
- Relocation of market management team into 1976 hall;
- Light touch improvement to central toilets;
- Creation of a Changing Places facility;
- Upgrade of sprinkler system; and
- Light touch improvement to decor and external lighting.

As a consequence of the improvements, tenants in a number of locations including the 1976 hall, 1875 hall, 1981 and Butcher's Row have been or will be served Notice under Section 25 of the Landlord & Tenant Act 1954 to terminate their tenancy agreement. In return for which, they will be entitled to suitable alternative accommodation or statutory compensation based upon the rateable value of the premises occupied.

This EIA details the ways in which equality impacts on displaced traders and their customers has been considered and appropriately mitigated.

4. Scope of the equality, diversity, cohesion and integration impact assessment
(complete - 4a. if you are assessing a strategy, policy or plan and 4b. if you are assessing a service, function or event)

4a. Strategy, policy or plan (please tick the appropriate box below)	
The vision and themes, objectives or outcomes	<input type="checkbox"/>
The vision and themes, objectives or outcomes and the supporting guidance	<input type="checkbox"/>
A specific section within the strategy, policy or plan	<input type="checkbox"/>
Please provide detail:	

4b. Service, function, event please tick the appropriate box below	
The whole service (including service provision and employment)	<input type="checkbox"/>
A specific part of the service (including service provision or employment or a specific section of the service)	<input checked="" type="checkbox"/>
Procuring of a service (by contract or grant)	<input checked="" type="checkbox"/>
Please provide detail:	
Improvement and refurbishment of the building and enhancement of the customer experience.	

5. Fact finding – what do we already know

Make a note here of all information you will be using to carry out this assessment. This could include: previous consultation, involvement, research, results from perception surveys, equality monitoring and customer/ staff feedback.

(priority should be given to equality, diversity, cohesion and integration related information)

Background research

In December 2011, Mary Portas produced her Review¹ on behalf of Government into the future of Britain's High Streets. Within her report she considers in some detail the impact of the loss of independent retailing as a result of consumer behaviour and retail trends.

On P.11, it states:

"Groceries are the most important retail market in the UK. For every £1 spent in our shops nearly 50 pence is spent on food and grocery sales. Yet despite the size of the market, large grocery retailers have been increasing their share of national grocery sales and the high street shops are actually in decline".

"In 2008 the Competition Commission found that the number of specialist grocery stores had declined significantly since the 1950s: "The number of butchers and greengrocers declined from 40,000–45,000 each in the 1950s to fewer than 10,000 each by 2000. The number of bakeries declined from around 25,000 in 1950 to around 8,000 by 2000 and the number of fishmongers declined from around 10,000 to around 2,000 over the same period. Our grocery market now sits firmly in the hands of the supermarkets – with more than 8,000 supermarket outlets accounting for over 97% of total grocery sales".

"What really worries me is that the big supermarkets don't just sell food anymore, but all manner of things that people used to buy on the high street. They've been expanding their reach into homewares, stationery, books, flowers – you name it. Supermarkets now allocate more than one third of their floor space to non-food sales."

Therefore, through investing in the refurbishment of Kirkgate Market, the Council aims to ensure the continuation of a unique aspect of the UK retail offer, namely a diverse range of small independent businesses in a key city centre location, easily accessible to its surrounding population.

On P.12 it states:

"Research by the New Economics Foundation shows that the money we are spending off the high street is more likely to leave the local area straight away, having less economic impact than spending in retailers with a localised supply chain. And we are actually limiting our future economy by not supporting the new retailers and entrepreneurs that could be our future."

Mary Portas laments the decline of social capital (P.12), lost through a lack of interaction with small independent retailers. Our own research and feedback from traders demonstrates that this social interaction is one of the things most valued about market

¹ Portas, Mary (2011) **The Portas Review: An independent review into the future of our high streets**

shopping.

The proposed refurbishment will not diminish this valuable aspect of market trading and by providing even more and varied opportunities for retailing will enhance the range of potential customer interactions. Additionally, It is anticipated that the event space will bring different cultures and communities together, helping foster good relationships and improve community integration and cohesion through diverse public events.

On P.23-4, Mary Portas comments on the need to provide more opportunities to foster entrepreneurship:

“Would-be retailers – or simply talented people who have something to sell – should be using indoor and outdoor markets as a step on the business ladder..... Why not rent out tables out for a tanner and get everyone involved?”

The new layout of the 1976 hall offers a flexible trading environment by enabling flexible/daily let ‘pop up’ stalls therefore giving more people the chance to take up short term trading opportunities and ‘test the market’, without having to acquire and make substantial financial investment in fixed trader stalls.

Consultation

Throughout the project the project team have engaged and consulted with a wide range of stakeholders. These include:

- Traders;
- Customers of the market;
- The Public;
- Market Staff;
- Leeds Civic Trust;
- English Heritage;
- Kirkgate Quarter Stakeholder Hub;
- LCC Urban Design & Planning;
- LCC Plans Panel;
- Metro;
- National Car Parks (NCP);
- Leeming House;
- Hammerson PLC (for Victoria Gate);
- Equalities Assembly;
- LCC’s Corporate Staff Networks; and
- LCC Access Officers.

In 2011 the Council commissioned independent research company, QA Research to analyse the results of stakeholder engagement held between April and June 2012. They were to report on survey data results taken from 487 completed surveys with panellist from the Leeds Citizen Panel and 496 surveys undertaken by members of the public.

The surveys focused on:

- Demographic profile and whether they were a customer or trader;
- Shopping habits; and

- General attitude towards the market.

The results survey data results were used to inform the feasibility study therefore, gaining important information from traders and customers into what the project objectives should be and the value placed upon these.

During the engagement periods it was important that information was easily accessible to people and there was support in place if people needed help to enable them to contribute.

Information was provided at a number of different locations within different communities:

1. Information stall within the market (staffed at advertised times);
2. Kirkgate Market information centre;
3. Libraries and one stop centres across Leeds;
4. Online at the Kirkgate Market Strategy website;
5. Online at the LCC talking point pages;
6. Civic building;
7. Email networks including Voluntary Action Leeds and Concord; and
8. Pre-arranged stakeholder meetings.

A second stage of stakeholder engagement was held between October and December 2012. The purpose was to ensure that the progress made since the stage 1 engagement was fed back to stakeholders and to seek feedback on the stage 1 feasibility study. Again, QA Research was employed as to independently analyse the results which would ultimately inform the feasibility study and therefore identify the project objective.

The combination of the stage 1 and stage 2 surveys produced 7,544 unique responses.

This allowed data to be extracted and reviewed for different demographics and enabled the Project Team to identify any gaps in the process. The Citizen's Panel was included in the surveys which ensured that there was a representative sample of the demographic of Leeds residents to use as a 'control' sample against which trends in the total responses could be compared. The project team used the findings from Stages 1 and 2 consultations to understand what preferences particular demographics or groups have. This was taken into account when recommending proposals for the market. It was noted from the data that there were only small differences between the overall results and results filtered by characteristic. This has been explored further within the stage 1 and stage 2 engagement reports.

The feedback received from the stage 1 and stage 2 engagements and the key issues developed from the project board, project team, technical advisor and Design Review Panel resulted in the '12 elements' identified as the pillars of the design going forward from Stage B to C/D. Further comprehensive surveys and technical reports were also commissioned to underpin the study and inform design development.

In line with project governance, the Kirkgate Market Project Board (Project Board) approved the feasibility study on 5th February 2013 thereby acknowledging and accepting the results of the stakeholder engagement. In addition, Project Board gave their permission to seek corporate authority from Executive Board to proceed with the scheme

giving due regard to the engagement findings.

Executive Board gave approval to proceed at their March 2013 meeting. At this time an EIA screening document accompanied the executive board report which detailed the stage 1 and 2 stakeholder engagement process and this is at Appendix 1 (available on request)

Trader Engagement

On 18th November 2013, all Kirkgate Market traders were invited to an Information and Engagement Session which was held in the evening to ensure that trading could continue through the day and to maximise the numbers attending. At this session the traders were presented with the RIBA Stage C design which detailed the works proposed, potential phasing sequence, the likely impact of the works on traders and customers and the likelihood of their stall being affected by the works either through demolition or physical move. Their concerns and comments/ design suggestions were noted and where possible incorporated into the design (refer to Appendix 2 for questions and answers – available on request).

During January 2014, traders from each of the individual areas were invited to a further Information Session where their specific areas were discussed and their specific concerns could be addressed by the Markets Management Team and the Design Team. These sessions were as follows:

- 13th January 2014 Butchers and Block Shops;
- 14th January 2014 1976 Hall;
- 20th January 2014 1981 Hall; and
- 21st January 2014 & 3rd February 2014 Open Market.

At these meetings an update was given on the physical design, particularly highlighting areas that had changed as a result of trader comment/ suggestions at the 18th November 2013 meeting and how the new proposals could have an impact on them. Compensation (where applicable) was also discussed.

The indoor traders that attended the sessions were receptive and positive to the proposed design and demonstrated an understanding of the potential negative impact of noise/dust pollution and physical temporary structures such as crash nets, scaffold and other plant on site may have.

Outdoor traders expressed a concern with the removal of the George Street wall which affords weather protection to traders, and this was taken into consideration and subsequently removed from the design with a much reduced treatment now being proposed.

In addition to the projects formally arranged sessions, the Markets management team also invited traders to directly engage with them via appointment or through 'Meet the Manager' meetings to provide feedback on the design. This opportunity was taken up by a small number of traders and produced helpful practical insight which was fed through to the design team for consideration and practicality.

A further Trader Information Session took place on the 24th March 2014 where all the traders were invited to view the proposals being presented to Executive Board on 2nd April 2014. The design did not have any fundamental changes to that presented previously.

The meeting introduced a package of financial support to the value of £234k in the form of a small grant, and interest free loan to be available to any trader who would have to permanently relocate to a different unit within the market. Refer to Appendix 3 – notes of meeting (available on request). Traders are not obliged to take up this offer. Both the design and the package of financial measures were subsequently approved by Executive Board.

Throughout 2014 and still continuing at the time of writing are meetings with individual traders who are displaced by the works. The meetings focus on how their business will be affected, their options, the Council's statutory obligations and to agree any works required or adaptations to stalls to make the transition as smooth as possible and mitigate any interruption to trade. Consultation with traders will continue throughout the scheme and a Trader Liaison Officer is proposed to be employed by the Council throughout the development period to provide a dedicated single point of contact to assist traders with any practical issues and keep them informed throughout the construction phase.

Staff Consultation

The market management team have consulted with their staff on the scheme designs throughout the concept and design stages of the project and have also provided regular updates at their fortnightly team meetings where reaction to the proposals have been positive.

Public Consultation

On 22nd April 2014, a public consultation event was undertaken to support the submission of the planning application for the scheme, in the Trinity Leeds Centre between 10am and 4pm. The exhibition event was publicised in the local media such as Leeds Guardian, leeds.gov.uk news and events pages, Kirkgate Markets webpages and on social networks, Twitter and Facebook. Posters advertising the exhibition were also displayed throughout Kirkgate Market in order to maximise the awareness of the event.

Design visuals were on display at the event stand to enable members of the public to view the proposed design proposals and members of the project and design team were available to answer any queries or concerns expressed. The design visuals were then permanently erected throughout the market to inform customers of the proposals. Please refer to Appendix 4 – Design Visuals (available on request).

It is estimated that circa 200 members of the public visited the exhibition with 61 people providing feedback on the design proposals. For those who could not attend the event, the design visuals and questionnaire were made available on line through the Council's consultation portal, Talking Point where 118 members of the public provided their feedback. Analysis of the results are available to view in the Statement of Community Involvement (Attached at Appendix 5 – available on request).

Stakeholder Consultation

An Information Session took place on 28th February 2014 with the equality representatives from the Equalities Assembly, LCC's Corporate Staff Networks and LCC Access Officers where the Stage D designs were presented and feedback obtained. In order to ensure the meeting was open to all, reasonable access arrangements were made available. The meeting was successful with all attendees responding positively to the design.

A major concern was the lack of a Changing Places facility (toilet facility for people with severe/multiple disabilities) and subsequent to the meeting it has been agreed by Project Board to make funding available within the refurbishment scheme to create a Changing Places facility at Kirkgate Market which will be accessible out of main trading hours. All other facilities in the city centre are located within buildings that close to the public during the evening.

The current layout of Kirkgate Market is acceptable in terms of level access and wheelchair accessibility and this will not change as a result of the refurbishment, however it is intended to improve the floor treatment which could have a positive impact for customers and users with mobility problems and those who are partially sighted. The design team are considering floor colour schemes and/or tactile flooring; the Equalities Assembly responded positively to this idea.

The currently 1976 hall has a sloping floor and so it is proposed that the new event performance area will be levelled to ensure it is practical and physically accessible to all potential users.

Further meetings took place in the spring with NCP, National Express, Metro and owners of Leeming House all of whom are located within close proximity to Kirkgate Market. The feedback received from these organisations was positive indicating they see the scheme as a further catalyst to regenerating the area.

On 10th April 2014, the design team presented Plans Panel with the refurbishment proposals and the indicative timetable for the works.

Panel Members considered the proposals and were satisfied that the principle of relocation of the butchers to Fish and Game Row to create a single fresh produce area, and to enable the rationalisation of services, including new drainage and extraction was acceptable.

The main points made were outlined in the extract from the Panel Minutes, below:

- “that the ‘Market Village’ concept was acceptable in principle
- that the approach taken to the proposed new Block Shop and its relationship to the original 1875 Block Shop arrangements and layout was correct
- that the proposed daily covered market layout and the new flexible events space were acceptable in principle
- that the proposed routes maximised the benefit of the proximity to Victoria Gate by strengthening the connections to it
- that this rationalisation was a reasonable approach to take given the proposed change in character of this area”

Members welcomed the proposals and the investment in Kirkgate Market.

Ongoing Communications & Engagement

The project team have and will continue to engage with traders, customers, neighbours and members of the public through a range of media. As internet browsing is increasing in popularity the project team have developed a dedicated web page on www.leeds.gov.uk which will be updated with information such as work progress, area closures within the market and other important information and facts about the scheme. This allows 24 hour

access to information and can be translated to a foreign language via the user's software and into speech for the blind and partially sighted. It will also enable feedback straight to the project team rather than through the Council's contact centre therefore queries can be responded to appropriately and in a timely manner.

The Markets service has created a both a 'campaign site' on the Council's main website where the public and traders can access all published information about the scheme. This was previously hosted on the Markets' commercial site, www.leedsmarkets.co.uk; its move to the main site not only increases its visibility but makes the information easier to find.

On the Markets' site a discrete 'trader portal' has been created which is password accessed and for traders only, containing information about free training and business development sessions that the Markets service has commissioned to assist traders to bolster their business, or to prepare themselves for their next step if they elect to take compensation and leave the market.

To readily identify activities associated with the scheme, the project team have developed a sub-brand to that already used by the Market to help promote and identify important information about the project and without creating confusion through the main markets branding. The branding will be used for:

- social media messages through Twitter/Facebook etc., using hashtag;
- local media communications;
- poster and literature associated with the scheme and
- construction hoarding.

To complement the electronic media format of communication, the project team will continue to use traditional forms of communications through the Markets Messenger publication and information boards.

The project team are currently engaging with children and young people by working with the Child Friendly Leeds team. A plan of activities are being considered where the views of young people are particularly important such as creating a welcoming comfortable space to relax and enjoy the market and market promotion and reporting.

Are there any gaps in equality and diversity information
Please provide detail:

Applicants for indoor or outdoor stalls are provided with equality monitoring forms to complete at the point of application although there is no obligation to complete these. Any returned completed forms are anonymous and separated from the application form before it is processed therefore it does not form any part of the application process. As a result the data cannot be said to be representative of the protected characteristics of the trader base at Kirkgate market. Further equality monitoring forms were provided to tenants with application packs during the restricted tendering exercises for the fresh food area and the general vacant stalls and a further small sample of equalities data was received as a result. This has been included in the November 2014 analysis by QA Research.

Markets management continue to engage with traders throughout the implementation of the proposals using a variety of means including one to one interviews, group information sessions at key milestones in the development, and regular newsletters. Post-development it is proposed to conduct further independent research on customers and

traders to enable the Council to consider and address any identified impacts on protected characteristics, and monitor and react to consumer trends.

Action required:

Consultation will be ongoing throughout the project with traders and stakeholders. Members of the public will be advised of developments via the dedicated web page on www.leeds.gov.uk and within the market itself.

6. Wider involvement – have you involved groups of people who are most likely to be affected or interested

☒

Yes

☐

No

Please provide detail:

A wide range of stakeholders and customers have been involved in the consultation process and updates are been provided on a regular basis through various channels.

These include:

- Traders;
- Customers of the Market;
- The Public; Market Staff;
- Civic Trust;
- English Heritage;
- Kirkgate Quarter Stakeholder Hub;
- LCC Urban Design & Planning;
- Plans Panel;
- Metro;
- NCP;
- Leeming House;
- Hammerson PLC (for Victoria Gate);
- Equalities Assembly;
- LCC's Corporate Staff Networks; and
- LCC Access Officers.

Action required:

The client, project and design team have gone to great lengths to engage with all groups affected by the refurbishment. Teams will continue to engage with the above and any other relevant stakeholders.

7. Who may be affected by this activity?

please tick all relevant and significant equality characteristics, stakeholders and barriers that apply to your strategy, policy, service or function

Equality characteristics☒**Age**☒**Carers**☒**Disability**☒**Gender reassignment**☒**Race**☒**Religion
or Belief**☒**Sex (male or female)**☒**Sexual orientation**☐**Other**

(Other can include – marriage and civil partnership, pregnancy and maternity, and those areas that impact on or relate to equality: tackling poverty and improving health and well-being)

Please specify:

Stakeholders☒**Services users**☒**Employees**☐**Trade Unions**☒**Partners**☐**Members**☒**Suppliers**☐**Other please specify****Potential barriers.**☒**Built environment**☒**Location of premises and services**☒**Information
and communication**☒**Customer care**☒**Timing**☐**Stereotypes and assumptions**

☒**Cost**☒**Consultation and involvement**☐**Financial exclusion**☐**Employment and training**☐**specific barriers to the strategy, policy, services or function****Please specify**

8. Positive and negative impact

Think about what you are assessing (scope), the fact finding information, the potential positive and negative impact on equality characteristics, stakeholders and the effect of the barriers

How has this been taken into account in the proposals?

Whilst Kirkgate Market is well used by a very broad range of shoppers and visitors, it is clear that markets are particularly important to those on low incomes, and as a result may impact on minority ethnic groups, and other protected characteristics, for example the elderly or disabled. It is important to highlight that there is no intention that the current mix and affordability of products will be lost as a result of the development and/or through increased costs for traders.

- Kirkgate Market has since its inception in the mid 1800s been a hub for people from all walks of life and social backgrounds, whether indigenous to the UK or from other nationalities. Its most famous immigrant trader, Michael Marks, began his retail career here and of course went on to form M&S; this ethos continues and is demonstrated in the mix of traders and products we have here today. Whilst we do not collect information on protected characteristics in a way that can be extrapolated to represent our trader base, we do know anecdotally that for many new traders on low incomes or otherwise disadvantaged, the market is their only accessible route into business as only a very small investment is required, and for those for whom English is not their first language, the market is a place where both fellow traders and the customer base make them feel at home. For many, regardless of their own ethnicity, they see an opportunity to create a business selling products to a very wide range of people – the indoor market footfall is around 9m per year – from a comparatively small and inexpensive unit (our units range from less than 98 sq ft to around 400 sq ft compared to a small business unit on the high street where between 500 sq ft and 1500 sq ft would be the norm). This mix of traders, commodities and unit sizes will continue post development.
- Whilst it can be the case that in smaller towns and districts a market serves a particular need for people on low incomes with little choice, the city centre location of Kirkgate Market means that it serves a wide demographic both in terms of socio-economic characteristics and also ethnicity. To survive and be viable amongst such stiff competition as it faces in the city centre Kirkgate market needs to constantly

refresh and update its offer to ensure that it offers what customers need and want to buy. Market traders are in the main very good at moving quickly to capitalise on trends and this is reflected in some of our newest businesses such as food to go aimed at the lunchtime trade from office workers in the city centre, E-cigarette supplies, Tablets, and eyebrow threading to name just a few. However the market is most famous for its excellent fish, meat, and greengrocery traders all of whom count amongst their customers some of the top chefs, hotels and businesses in the city as well as the poorest in society. We aim to build on this great reputation with investment not just in the new Fresh Produce area but also in Kirkgate Village where some of this offer will, for the first time, be available into the evening direct from the trader.

- Attached at Appendix 6 (available on request) is a list of the commodities currently available in Kirkgate Indoor Market, shown as a percentage of total business units, taking account of vacancy levels pre-development. The document shows, on page 2, the proposed commodity mix following development, taking account of the change in overall number of fixed stalls. We know that for some commodities a combination of pent up demand from applications previously received and retail trends shows there is room to increase the percentage of these in the market. The list shows clearly that where we intend to retain the current balance, these commodities are already well represented, and no commodity will decrease its % representation in the mix. The increased number of businesses overall represents around 98% occupancy of both existing and new units, as we would always want to have a small number of vacant units in order to be able to bring in new product or service offers beneficial to the market.
- Traders with permanent (periodic or fixed term) tenancy agreements who are permanently displaced by the development have, during September 2014, been offered the opportunity through a restricted tender exercise to apply for any of the 38 vacant stalls in the market, with the further offer that we will consider either splitting larger units, or combining smaller ones, if this better suits their needs. This opportunity is only open to displaced tenants. By the closing date 19 applications had been received, from around 70 packs sent out. (NB. The number of packs represents the total number of tenancy agreements held; in practice stallholders hold multiple tenancies alongside each other as they have added to their units by expansion over the years, or where different family members hold different but adjacent units. In fact, this represents 44 actual businesses who were eligible to take part in the restricted exercise. 19 therefore represents a return rate for tenders of 43%. Following allocation, any remaining units will be offered, again as a restricted tender exercise, to any existing tenants on temporary licences who are also displaced by the development and who wish to enter into a longer term tenancy with the Council. This exercise should be concluded by the end of November 2014. This clearly demonstrates the Council's intent to retain its existing trader base although the decision to apply of course rests with individual business owners. Once both these exercises have been concluded, all remaining vacant units, and the new units to be built as part of the development, will go to open tender. At that time, any displaced tenant who has changed their mind and now wishes to apply will have a further opportunity to do so as part of the open tender but will of course be in competition with all other interested parties.
- It has been made clear in reports to Executive Board that there is no intention to increase the rents of any existing units. New build units in the Fresh Produce area

will be offered at the same rent that Fish and Game Row tenants are currently paying, in order to be equitable to incumbent traders. Rental levels for the new cafes in the Covered Daily market, and for the units in the new Kirkgate Village area, have not yet been set but we will expect to receive a rental appropriate to the nature of businesses which we seek to attract, ie. market traders and other small independent businesses.

- The overarching rationale for developing the Covered Daily Market and events space is to inject interest, variety and vitality into the customer shopping experience. Whilst Kirkgate market is not a standard shopping centre, it is a centre where people come to shop, and in this sense it is important to look at what the competition is doing to attract and keep its shoppers longer (increase dwell time) as this is shown to increase sales. Therefore, the CDM and events space, co-located with 9 x cafes/food to go outlets and with a range of seating provided, will encourage shoppers to make their visit to Kirkgate Market part of a combined shopping and leisure experience, staying longer, spending more and most importantly taking away with them a memory of a pleasant experience which will make them want to return.
- The proposed Covered Daily Market provides a trading opportunity not currently available in the city centre whereby new traders and small or niche businesses can take a stall in a bespoke covered area to trial their product or service at a very cost effective rate. Providing up to 100 small stall spaces, this area will for the first time enable people to sell products or services that cannot be traded easily outside on the open market to have the same flexibility as open market traders, ie. licences are issued for a day at a time, whilst taking advantage of the market's excellent footfall. Currently, to trade inside in a fixed unit, the minimum period of commitment is 16 weeks through the start up scheme, or 6 months on temporary licence (with one month's notice). In both cases, the cost of commitment is significantly more than the cost of a daily indoor licence which is proposed to reflect the open market with a small uplift to cover additional power and facilities, stall erection and dismantle, etc of being inside. We envisage that this will be attractive to a wide range of traders and small businesses who are not currently considering Kirkgate market as a base.
- The Covered Daily Market also provides a flexible space which can encourage schools, FE and HE organisations to take space for short periods to allow their students to experience retail and perfect a wide range of skills from product design and manufacture, to marketing and merchandising, customer service and of course, the economics of running a retail business. We hope that by providing this opportunity many will go on to become the traders of the future but even if not, they will become ambassadors for the market to their peers and families, and familiar with shopping at the market, so becoming regular life long customers. We have tried to develop similar initiatives in fixed units previously but issues over tenancy agreements and business rates have been prohibitive. We have already had serious interest from the education sector in this opportunity, again tapping latent demand.
- Clearly, programming the market and events spaces requires dedication and skill, and for this reason, the Markets service now has a dedicated officer whose role it is to programme both areas, generate income and where appropriate sponsorship, and to ensure that the opportunity is well known and well promoted. Programming has already begun to ensure that the CDM and events space is well populated from

the start to drive more footfall and support the new businesses in and around this area.

- The proposals for this scheme show that very little will change on the Open Market other than the creation of a separate set down area for traders loading and unloading for the Covered Daily Market. One of the main reasons for this is that the Open Market works very well, is popular with traders and customers, and to some extent serves a completely different customer base to the indoor market, especially with regard to those on lower incomes. The Open Market will always be an important part of the offer at Kirkgate market and thus will always be there to serve those with the most need and least choice.
- It should be noted that advice provided to the Council in the development of the George Street developer competition brief was that considerably more rent per sq m could be achieved from a large regional or national multiple than by letting to smaller independents. Despite this the Council's business case for the George Street development, which obviously integrates with the market, is based on a rental level appropriate to attract small independent retailers. Whilst this is a separate development yet to come forward for planning permission, the team working on the Kirkgate scheme is closely involved in the developer led scheme to ensure that it evolves in a synergistic and complementary manner which allows for the achievement of the Council's vision for the Kirkgate Village area.
- The signage and way finding will be improved as part of the refurbishment and, through further consultation with equality groups; the most appropriate solution will be developed, this may include 'you are here' maps, coloured zones etc.

8a. Positive impact:

- No change of use – Kirkgate market post-development will embrace the same mix of cultures, stalls and products as currently, reflecting market forces and customer trends;
- The scheme ensures the future sustainability of Kirkgate Market by resolving long term maintenance issues and addressing failures in the fabric of the building thus improving the customer experience;
- The improvements to Kirkgate market will encourage repeat visits and increase dwell time, particularly by the introduction of a central café area with dedicated seating, a programme of events and promotions, and a varied and dynamic range of new market traders in the CDM.
- The introduction of a Changing Places facility in Leeds will extend the availability of such a facility in the city outside of core trading hours
- The scheme includes better signage and way finding – an issue highlighted during consultation. The changes to signage and customer routes through the market will encourage shoppers to explore the market experience thus increasing the probability of secondary spend;

- The scheme provides for upgrades to floor covering (in parts) to ensure traders and visitors who have a disability are better able to access and enjoy the market;
- The proposals will contribute to increasing financial inclusion by encouraging new enterprising businesses and start-ups, giving businesses the opportunity to determine the financial viability of new businesses without significant financial investment;
- The CDM in particular will broaden the range of opportunities available to all, potentially increasing the diverse mix of traders and product and also the mix of customers using Kirkgate Market. This supports increased interaction between communities in support of increased community cohesion and integration, for example of different races, ages, religions, disabled people, carers and also children.
- The work started with the Child Friendly Team will bring people from various age backgrounds together for example in the use of the Events' space, with events appealing to all ages and backgrounds.
- The CDM will increase opportunities for the interaction of children with the markets, will support the provision and accessibility of a healthy diet for children including the cheaper availability of fresh fruit and vegetables, and through education will help children and young people make more informed and healthier choices.

Action required:

To promote links with Business Support staff in the Economic Development Service and sign post new businesses to take advantage of any support that can be offered/ provided.

To ensure a varied cultural and child-friendly programme of events is developed for the Events Space.

Develop links with the Public Health Directorate to capitalise on opportunities for promotion of healthy living.

8b. Negative impact:

- Section 25 Notices served on tenants whose trading units are in scope may put their livelihood at risk. .
- Open market traders have expressed concern that the CDM will replicate the existing open market offer.
- Concern has been expressed that rents may become unaffordable as a result of the scheme.

<p>Action required:</p> <ul style="list-style-type: none"> Through an application process only available to tenants who will lose their current trading location as a result of the refurbishment, all displaced traders have had the opportunity to bid for vacant stalls. At the time of writing we have been able to accommodate all traders that applied, demonstrating the Council's commitment to retaining existing businesses. Once all permanently displaced businesses have had the opportunity to relocate, any remaining units, along with those to be newly built, will be offered by public tender. Replicating the Open Market is not the purpose of the CDM which, instead will allow traders and products not currently available on the open market, along with specialist market operators to enhance rather than detract from the mix of goods and services on offer indoors and outdoors. The Council have been clear that there is no intention to increase the rents of any existing units. New build units in the Fresh Produce area will be offered at the same rent that Fish and Game Row tenants are currently paying, in order to be equitable to incumbent traders. Rental levels for the new cafes in the Covered Daily market, and for the units in the new Kirkgate Village area, have not yet been set but we will expect to receive a rental appropriate to the nature of businesses which we seek to attract, ie. market traders and other small independent businesses.

<p>9. Will this activity promote strong and positive relationships between the groups/communities identified?</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <input checked="checked" type="checkbox"/> Yes </div> <div style="text-align: center;"> <input type="checkbox"/> No </div> </div> <p>Please provide detail:</p> <p>Action required: There will be no change of use as a result of the refurbishment and Kirkgate Market will remain a market. It will continue to host a wide range of ethnicities, cultures and products thereby increasing opportunities for strong and positive relationships to develop between traders and between traders and their customers.</p> <p>Ensure that the Covered Daily Market and event space have a regular and diverse and varied programme of events, stalls and products; and activities to maximise interaction and integration between communities. Clearly, programming the market and events spaces requires dedication and skill, and for this reason, the Markets service now has a dedicated officer whose role it is to programme both areas, generate income and where appropriate sponsorship, and to ensure that the opportunity is well known and well promoted. Programming has already begun to ensure that the CDM and events space is well populated from the start to drive more footfall and support the new businesses in and around this area.</p>

10. Does this activity bring groups/communities into increased contact with each other? (e.g. in schools, neighbourhood, workplace)

☒

Yes

☐

No

Please provide detail:

The Council is committed to substantial improvements in the retail offer of Leeds city centre. In bringing forward substantial investments in its retail core such as Trinity Leeds shopping centre, Victoria Gate which includes the biggest John Lewis store to be built outside London, and investing in the development of a vibrant independent retail offer through schemes such as Kirkgate Townscape Heritage Initiative, restoration of the First White Cloth Hall, and £12.3m refurbishment of Kirkgate market, the Council will support this area of the city to achieve a step change in its status as a retail destination and thereby increasing opportunities for a much broader socio-economic mix of customers which is important to ensure that market traders remain viable and can continue to provide affordable goods and services.

The Portas Review (p.12) raises concern over the loss of social capital as a result of the consolidation of retail spend to large retail chains at the expense of independent retailers. By investing in the future of Kirkgate Market, this scheme shows the Council's support for micro and independent businesses and the value that these businesses deliver in terms of the growth of social capital. In particular the CDM will encourage new enterprise by supporting businesses that would not usually have the opportunity to have a public facing business and for a short term licence.

This opportunity has always been available on the Open market but some product lines (fragile, perishable e.g.) are not suited to outdoor retailing. The proposals for this scheme show that very little will change on the Open Market other than the creation of a separate set down area for traders loading and unloading for the Covered Daily Market. The Open Market works very well, is popular with traders and customers, especially with regard to those on lower incomes. The Open Market will always be an important part of the offer at Kirkgate market and thus will always be there to serve those with the most need and least choice.

The Covered Daily Market will allow for a wider range of commodities to be offered and also provides a flexible space which can encourage schools, FE and HE organisations to take space for short periods to allow their students to experience retail.

The market team will also work with Child Friendly Leeds and the universities to bring together the knowledge and skills of young people throughout the city to participate in activities in the market and promote cohesion through better understanding.

Action required:

Promote opportunities described above.

11. Could this activity be perceived as benefiting one group at the expense of another? (e.g. where your activity/decision is aimed at adults could it have an impact on children and young people)

☐

Yes

☒

No

Please provide detail:

The scheme objective is to create a vibrant, accessible and sustainable environment for traders, customers, enterprising businesses and members of the public of any age, gender or ability.

Research shows that the customers of Kirkgate Market (when compared to the population of the city as a whole) are likely to be aged between 35 to 69 and define themselves as being white.

Where (albeit limited) Equalities information is available for applicants to trade at Kirkgate indoor and open markets, this is analysed in the QA Research report Demographic profiling – Report (November 2014) (Appendix 7 – available on request) as ‘a broadly equal split between those who are white and those from BME backgrounds’ and are more likely to be female and aged between 30 to 60, indicating that a higher percentage of those interested in trading at the market are from BME backgrounds compared to the Leeds population as a whole. This trend is repeated for the characteristic ‘religion/belief’ amongst both groups. It is important to remember though that the data for applicants is not a true representation of *existing traders* for which only very limited data exists.

The existing traders displaced by the refurbishment are of course a true representation of the trader base as Notices served cover all areas of the market except the 1904 hall, with many different businesses and commodities run by traders from a range of ethnic backgrounds – a walk around the market can evidence this. Of the 44 businesses which will be displaced, 3 relocated within the market before Notice was served and a further 19 selected a new unit to relocate to, making 23 relocating traders in total².

Of the 44, an anecdotal analysis based upon, e.g. last name shows that the proportion of BME to white displaced may be 24 BME compared to 20 white.

Of the 19 who applied for and have been allocated a stall (100% of applicants), the same analysis reveals that the proportion of BME to white may be 13 BME to 6 white. (There was no obligation to apply and each business owner must make decisions based on individual circumstances, e.g. some may wish to take statutory compensation instead).

The Council is demonstrating its commitment to supporting the current profile of traders by ensuring that existing traders displaced by the refurbishment have the opportunity (not available to external applicants) to relocate to vacant stalls elsewhere in the market. Further, the Council will, through these proposals, provide a wider range of opportunities open to all BME backgrounds, religions and beliefs through the creation of new fixed, permanent stalls, the creation of the CDM and the continuation of the Open Market.

² The raw data upon which this analysis is based has not been provided in an appendix due to data protection laws

Action required:

Continue to offer opportunities to all protected characteristics as per current market policy.

12. Equality, diversity, cohesion and integration action plan

(insert all your actions from your assessment here, set timescales, measures and identify a lead person for each action)

Action	Timescale	Measure	Lead person
Continue to engage with all traders, in particular those affected by the works	Throughout the project	Arrange meeting at the convenience of the trader and take notes of the meeting	Susan Burgess
Continue to engage with the Equalities Assembly and staff networks to provide guidance and opinion on design aspects that could have an impact on equality.	Summer 2014 to Winter 2014/15	Engagement to be arranged on the changing places facility, way finding and general accessibility	Chris Coulson
Continue to engage with stakeholders	Throughout the project		Susan Burgess/ Chris Coulson
Engage with Child Friendly Leeds through workshops and meetings	Summer 2014 to Winter 2014/15	Practical measures to encourage young people into the market	Susan Burgess
Maintain dedicated web page www.leeds.gov.uk/marketsrefurb to keep traders and members of the public informed of project developments	Summer 2014 to Autumn 2016	Regular and appropriate information published with the opportunity to feedback comments	Susan Burgess

Action	Timescale	Measure	Lead person
Utilise sub-brand for scheme to enable traders, customers and members of the public easily identify activities associated with the scheme	Spring 2014 to Summer 2014		Susan Burgess
Regularly communicate activities/ important information through local and social media	Throughout the project		Susan Burgess/Dee Reid

13. Governance, ownership and approval

State here who has approved the actions and outcomes from the equality, diversity, cohesion and integration impact assessment

Name	Job Title	Date
Susan Burgess	Markets Manager	11 th November 2014
Date impact assessment completed		11th November 2014

14. Monitoring progress for equality, diversity, cohesion and integration actions (please tick)

- ☐ As part of Service Planning performance monitoring
- ☐ As part of Project monitoring
- ☐ Update report will be agreed and provided to the appropriate board
Please specify which board
- ☐ Other (please specify)

15. Publishing

Though **all** key decisions are required to give due regard to equality the council **only** publishes those related to **Executive Board, Full Council, Key Delegated Decisions** or a **Significant Operational Decision**.

A copy of this equality impact assessment should be attached as an appendix to the decision making report:

- Governance Services will publish those relating to Executive Board and Full Council.
- The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.
- A copy of all other equality impact assessments that are not to be published should be sent to equalityteam@leeds.gov.uk for record.

Complete the appropriate section below with the date the report and attached assessment was sent:

For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent:
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent: