

EQUALITY IMPACT ASSESSMENT RECORD

Title of policy/ practice/ strategy/ legislation etc.	The Glasgow Commonwealth Games (Trading and Advertising) (Scotland) Regulations 2013 The Glasgow Commonwealth Games (Games Locations) (Scotland) Order 2013 The Glasgow Commonwealth Games (Enforcement Officer) (Scotland) Regulations 2013	
Minister	Shona Robison, Minister for Commonwealth Games and Sport	
Lead official	Jill Urquhart	
Officials involved in the EQIA	name	team
	Aileen Tinkler Jane MacPherson	Games Delivery Team
	Imelda Giarchi	Communities Analytical Services
	Alan Bragg	Geographic Information Science & Analysis Team (GI-SAT)
Directorate: Division: Team	Directorate for Commonwealth Games and Sport: Commonwealth Games: Games Delivery Team	
Is this new policy or revision to an existing policy?	New regulations developing on existing legislation	

Screening

Policy Aim

Glasgow will host the Commonwealth Games in 2014. The Commonwealth Games Federation Host City Contract requires the Scottish Government to introduce legislation necessary to regulate outdoor trading and advertising in and around Games venues.

The Glasgow Commonwealth Games Act 2008 ('the 2008 Act') lays the foundations for control of advertising and trading at Games time. The 2008 Act specifies that it is an offence to trade/advertise in the vicinity of a Games location at a prohibited time. The 2008 Act also makes provision for Scottish Ministers to specify exemptions to the trading and advertising offences through regulations (secondary legislation).

Accordingly, the Glasgow Commonwealth Games (Trading and Advertising) (Scotland) Regulations 2013 ('2013 Regulations') go on to set out the detail of

the trading and advertising offences and prescribe the circumstances for which exemptions will apply.

The key aims of the 2013 Regulations are to:

- Prevent businesses promoting themselves within the proximity of Games venues without permission (ambush marketing);
- Keep congestion to a minimum and provide safe and secure routes allowing for the free flow of spectators during the period of the Games; and
- Ensure the event zones have a consistent celebratory look and feel.

The 2013 Regulations will protect the revenue generated through sponsorship by ensuring that companies who have paid for Commonwealth Games association rights have their commitment protected. These sponsors have exclusive rights to associate their brands with the Games and the 2013 Regulations prevent 'ambush marketing' by non-sponsor organisations. Street Traders wishing to trade in the vicinity of Games locations will also need to be authorised ensuring there is no inappropriate selling and to allow the free flow of spectators and traffic to and from the Games venues. Ensuring that event zones have a consistent look and feel will create a welcoming environment for spectators and enhance the reputation of Glasgow and Scotland as a destination for international events.

The 2008 Act also provides that Ministers can specify by order, additional sites which are not sporting venues and are not in the immediate vicinity of a sporting event, for inclusion in the regulations. Following face to face consultation with the OC and Glasgow City Council, George Square and the Merchant City were identified as live sites which would act as a central focus for Games visitors. These areas therefore require to be specified as event zones in order to fall under the governance of the 2013 Regulations. As there is a requirement to introduce a separate order designating these sites as Games locations, the Glasgow Commonwealth Games (Games Locations) (Scotland) Order 2013 will be laid in the Scottish Parliament at the same time as the trading and advertising regulations. As such, George Square and the Merchant City were specifically included in the public consultation for the 2013 Regulations and this impact assessment extends to those .

The trading and advertising regulations will be enforced by designated and experienced enforcement officers appointed by the OC. The enforcement officers will be drawn from local authorities. In order to extend the available resource, it has been agreed in consultation with the key stakeholders, including local government, that the enforcement officer criteria will be extended further than the definition of, an inspector of weights and measures as set out in the 2008 Act. The extended criteria include additional local authority officers who are authorised to carry out enforcement functions.

As set out in s21(2)(b) of the 2008 Act, Scottish Ministers may specify other criteria by the introduction of further regulation to support the extended criteria. The Glasgow Commonwealth Games (Enforcement Officer) (Scotland) Regulations 2013 will therefore be laid in the Scottish Parliament at the same time to enable this activity. These regulations were also highlighted in the trading and advertising consultation document with specific related questions.

The package of legislation governing trading and advertising restrictions, which has all been consulted on in full, will therefore consist of, The Glasgow Commonwealth Games (Trading and Advertising) (Scotland) Regulations 2013 which is affirmative procedure, The Glasgow Commonwealth Games (Games Locations) (Scotland) Order 2013 and The Glasgow Commonwealth Games (Enforcement Officer) (Scotland) Regulations 2013 which are both negative procedure.

This legislation contributes to the Scottish Government's National Outcome for Scotland's people to "take pride in a strong, fair and inclusive national identity" by protecting the character, integrity, safety and security of the Glasgow 2014 Commonwealth Games. The Glasgow Commonwealth Games fits with, and links to policy across the Government programme. The Games will achieve this by promoting sport and physical activity; will provide employment opportunities and attract inward investment; will show Scotland's ability to host major events; and will leave lasting social and environmental benefits in and around the Games venues.

Who will it affect?

The 2008 Act will have a *temporary* impact on anyone engaging in advertising (whether as the advertiser, the owner of the land, or the person actually undertaking the advertising e.g. an agency) or trading (including supplying a service and providing entertainment, e.g. a busker) within the vicinity of a Games location.

The 2013 Regulations provide exemptions to the ban on advertising and outdoor trading. They also enable street vendors and those wishing to advertise within the vicinity of a Games location to apply to the Glasgow 2014 Organising Committee for authorisation.

The 2013 Regulations are intended to allow the majority of local businesses to continue to operate as normal and much "business as usual" advertising (such as shop signs and in-store advertising) will not be affected. The exemption or authorisation of a proportion of legitimate business will limit the impact on the local population. Applications for authorisation will be assessed to ensure the safety and security of the public visiting the venues. While the aim is to permit existing licensed traders to operate at venues, there will be a need to limit the number of traders due to the security arrangement in place for the Games and to ensure the free flow of spectators.

The Scottish Government is committed to minimising the burden on small businesses caused by the 2013 Regulations and maximising the wider benefits of the Games. The 2013 Regulations will apply to relatively small areas for short periods of time and, accordingly, the impact will not be substantial, widespread or long lasting. In addition, where a trader cannot be authorised, assistance will be provided by the relevant Local Authority to help them identify acceptable alternatives.

The hosting of Commonwealth Games generally is predicted to have a positive impact on shops in the vicinity of the Games locations as a result of the surge in visitor numbers to the areas.

The 2013 Regulations are also designed to benefit spectators by supporting the aim of providing a welcoming Games environment and safe and secure routes into and around Games venues.

What might prevent the desired outcomes being achieved?

A lack of awareness of the 2013 Regulations amongst advertisers and street traders might prevent the desired outcomes being achieved.

However, efforts have already been made to raise awareness about the proposed restrictions. The consultation on the 2013 Regulations has been sent to a large number of stakeholders (including trade and advertising organisations and local authorities). The consultation is also published on the Scottish Government website. The launch of the consultation received coverage in both local and national media.

Online information about the 2013 Regulations are on the Glasgow 2014 Organising Committee's website. The Organising Committee can also be contacted for alternative formats of Glasgow 2014 publications. A detailed "plain English" notice on the regulations will be published in hard copy and online once the Regulations have been through the parliamentary process. A dedicated email address will also be provided by the Organising Committee to address any specific enquiries.

In addition, the Glasgow 2014 Organising Committee and Harper Macleod (legal advisers to the Organising Committee) are holding a series of seminars designed to help businesses engage with the Games following the launch of the consultation. The Organising Committee will also hold face to face meetings with businesses within the event zones and they have plans to attend events at the competition venues in the lead up to the Games to speak directly to affected traders. The Organising Committee are working with host local authorities with a view to writing out to all licenced street traders who may be affected by the 2013 Regulations.

Stage 1: Framing

Results of framing exercise

The 2008 Act specifies that it is an offence to trade or advertise in the vicinity of a Games location at a prohibited time. The inclusion of these offences was subject to the full scrutiny of the Scottish Parliament which included consideration of equality issues. It was recognised that those who live or work near the Games locations will both benefit and be affected more than others. It was highlighted that the 2008 Act makes it clear that councils whose areas include Games locations must work with affected existing traders to identify alternative arrangements when the trading regulations are in force, to further limit any impact on local businesses/traders.

Evidence from the London 2012 Olympic and Paralympic Games has been considered when drafting the 2013 Regulations and considering their impact. London 2012, although larger in scale to the Commonwealth Games, was a similar event which put in place similar regulations. A post-event review of London 2012 demonstrated that the Olympic Delivery Authority received 729 trading applications and refused authorisation to only 279. There is no information as to the demographics of those who were refused authorisation so we cannot evaluate whether there was a particular impact on any equality group. However, the vast majority of the refusals were due to applications being made by speculative traders who did not have the pre-requisite licences to enable them to be authorised.

We have consulted with the local authorities in each Glasgow 2014 event zone. Overall, the estimated number of traders/businesses that could potentially be displaced by the 2013 Regulations is small. For example, information from the City of Edinburgh Council indicates that there are currently no mobile traders with entitlement to trade within the Games event zone in Edinburgh. South Lanarkshire Council advise that there are 15 individuals in total who hold street trader licences entitling them to trade within Games event zones. Information provided by Glasgow City Council (the local authority area likely to be most impacted) indicates that street traders do not operate in the trading area of most of the Games venues, with the exception of the three football stadia and the SECC. The traders in these areas do not habitually operate daily but rather only occupy their stances in relation to football matches or specific events. No specific information as to the demographic of the current licenced street traders is collected by Glasgow City Council. The Glasgow City Council Licensing Section have advised that based on their experience that there is a fairly even mix of male/female street traders, but, beyond that breakdown they were unable to comment. They advised that all applications are dealt with on a case by case basis irrespective of male/female, ethnic origin or any other demographic.

When considering authorisation the focus will be on ensuring that existing business can continue to operate and ensuring public safety. Furthermore, in order to treat all applicants fairly, a ballot system will be employed for event zones where the number of applications exceed the trading spaces available. Anyone who has applied for authorisation and is dissatisfied with the decision of the Organising Committee may request that the Scottish Ministers review the decision.

In addition to the host local authorities, Scottish Government Analytical Services officials have been consulted in order to identify any particular protected groups that might be affected by the 2013 Regulations.

Whilst there is no information on the demographics of street traders or advertisers in the 2014 Games event zones, we have considered information on the demographics of the self-employed and small and medium enterprise (SME) owners/co-owners in Scotland on the basis that such demographics are reflected in the local business communities and in the specific businesses of advertising and street trading with which we are placing restrictions.

Extent/Level of EQIA required

As outlined above, the 2013 Regulations will apply to relatively small areas for short periods of time and, accordingly, the impact will not be substantial, widespread or long lasting. As mentioned above, information from host local authorities indicates that the number of businesses/traders that could potentially be displaced by the 2013 Regulations is low. The focus of the authorisation process will be to ensure that existing businesses can continue to operate. In light of this, it was considered that a relatively light touch Equality Impact Assessment was appropriate.

The focus of the data gathering and consideration was on determining whether there may be any inadvertent effects on different groups, by examining the demographics of those groups likely to be affected by the 2013 Regulations (primarily SMEs and the self-employed). The key sources of the data considered were the Small Business Survey 2012 and the Annual Population Survey (January – December 2012). There has also been ongoing consultation with key stakeholder groups and Games partners during the policy development process.

The consultation document on the 2013 Regulations was sent to a range of consultees. These included those who are directly involved in the trade/advertising industry (such as Institute of Practitioners in Advertising Scotland) and equality and human rights organisations (such as the Equality and Human Rights Commission). The consultation paper was also circulated amongst local authorities and organisations with an interest in legal issues which may have an impact on business (such as the Federation of Small Businesses). No equality/human rights organisations responded to the consultation. No equality issues have been identified by any of the respondents to the consultation.

Stage 2: Data and evidence gathering, involvement and consultation

Include here the results of your evidence gathering (including framing exercise), including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

Characteristic ¹	Evidence gathered and Strength/quality of evidence	Source	Gaps identified and action taken
AGE	<p>There is no evidence regarding the age profile of street traders/advertisers in the 2014 Games event zones. However there is information about the age profile of the self-employed and SME owners/co-owners in Scotland as a whole.</p> <p>In 2011, those aged 35-49 made up the largest share of all those self-employed. Those aged 16-24 made up the smallest share of those self-employed.</p> <p>In the Glasgow City Council area, all street trader licences are for people 18 years and over.</p> <p>In 2012, 28% of SMEs were run by those in the 55-64 age bracket. Only 2% of SMEs were run by those under 25.</p>	<p>Joint Labour Market Study by Scottish Government and STUC, June 2013</p> <p>Glasgow City Council Licensing Section</p> <p>Small Business Survey 2012: SME Employers – Data Tables</p>	<p>Given the low impact of the 2013 Regulations, we have no plans to gather more evidence as this would be disproportionate to the level of EQIA required.</p> <p>The 2013 Regulations apply to a specific, one-off event as opposed to general legislation which will be in force beyond the period of the 2014 Games.</p>
DISABILITY	<p>There is no evidence regarding the number of street traders/advertisers with a disability in the 2014 Games event zones. However there is information the number of self-employed and SME owners/co-owners who regard themselves as disabled, in Scotland as a whole.</p>		<p>Given the low impact of the 2013 Regulations, we have no plans to gather more evidence as this would be disproportionate to the level of EQIA required.</p>

¹ Refer to Definitions of Protected Characteristics document for information on the characteristics

	<p>In 2012, 16% of small to medium-sized enterprises in Scotland included at least one owner or director with a disability.</p> <p>Self-employment rates tend to be higher for disabled people. In 2011, the self-employment rate for disabled people was 13.6% compared to 11.1% for non-disabled people.</p>	<p>Small Business Survey 2012</p> <p>Annual Population Survey (January to December 2012)</p>	<p>The 2013 Regulations apply to a specific, one-off event as opposed to general legislation which will be in force beyond the period of the 2014 Games.</p>
<p>SEX (INCLUDING PREGNANCY AND MATERNITY)</p>	<p>There is no evidence regarding the sex of street traders/advertisers in the 2014 Games event zones. However there is information about the sex of the self-employed and SME owners/co-owners in Scotland as a whole.</p> <p>In 2012, the majority of SMEs were owned by men, or led by a management team with a majority of men. 21% of Scottish SMEs were women-led (defined as run by a woman or having a management team made up mostly of women). 43% of SMEs had at least 50% female leadership.</p> <p>The self-employment rate is markedly higher for men than for women. In 2011, the self-employment rate for men was 15.5% compared to 7.1% for women.</p>	<p>Small Business Survey 2012</p> <p>Annual Population Survey (January to December 2012)</p>	<p>Given the low impact of the 2013 Regulations, we have no plans to gather more evidence as this would be disproportionate to the level of EQIA required.</p> <p>The 2013 Regulations apply to a specific, one-off event as opposed to general legislation which will be in force beyond the period of the 2014 Games.</p>
<p>GENDER REASSIGNMENT</p>	<p>There is no evidence regarding the number of transgender traders/advertisers in the 2014 Games event zones.</p> <p>It is widely recognised that there is limited evidence on the experiences of transgender people in Scotland. Currently, there is no fully tested recommended question with which to collect information on gender identity in surveys or other</p>		<p>Given the low impact of the 2013 Regulations, we have no plans to gather more evidence as this would be disproportionate to the level of EQIA required.</p> <p>The 2013 Regulations apply to a specific, one-off event as opposed to general legislation</p>

	<p>data sources. A recent project carried out for the Equality and Human Rights Commission began work into this and the Scottish Government is considering future work in this area.</p> <p>The Registrar General for Scotland maintains a Gender Recognition Register in which the birth of a transsexual person whose acquired gender has been legally recognised is registered showing any new name(s) and the acquired gender. In 2011, there were 24 entries in the Gender Recognition Register, 6 more entries than in 2010. The Gender Recognition Register is not open to public scrutiny.</p>		<p>which will be in force beyond the period of the 2014 Games.</p>
<p>SEXUAL ORIENTATION</p>	<p>There is no evidence regarding the sexual orientation of traders/advertisers in the 2014 Games event zones.</p> <p>There is currently limited data and evidence collected on the experiences of gay, lesbian and bisexual people in Scotland. A question on sexual orientation was included in the Scottish Household Survey for the first time in 2011. From 2012 a question on sexual orientation will be included as a core question in Scotland's major surveys.</p> <p>Latest experimental statistics published from the Integrated Household Survey April 2011 to March 2012 shows that the number of people who self-identified as lesbian, gay or bisexual in Scotland was 1.5%</p>	<p>Integrated Household Survey</p>	<p>Given the low impact of the 2013 Regulations, we have no plans to gather more evidence as this would be disproportionate to the level of EQIA required.</p> <p>The 2013 Regulations apply to a specific, one-off event as opposed to general legislation which will be in force beyond the period of the 2014 Games.</p>
<p>RACE</p>	<p>There is no evidence regarding the ethnicity of traders/advertisers in the 2014 Games event zones. However there is information about the ethnicity of the self-employed and SME owners/co-owners in</p>		<p>Given the low impact of the 2013 Regulations, we have no plans to gather more evidence as this would be disproportionate to the</p>

	<p>Scotland as a whole.</p> <p>In 2012, 3% of small to medium-sized enterprises in Scotland were run by a member or mostly by members of a minority ethnic group</p> <p>Self-employment rates tend to be higher for minority ethnic groups. In 2011, the self-employment rate for ethnic minorities was 14.9% compared to 11.4% for those of white ethnic origin.</p>	<p>Small Business Survey 2012</p> <p>Annual Population Survey (January to December 2012)</p>	<p>level of EQIA required.</p> <p>The 2013 Regulations apply to a specific, one-off event as opposed to general legislation which will be in force beyond the period of the 2014 Games.</p>
<p>RELIGION OR BELIEF</p>	<p>There is no evidence regarding the religion or belief of traders/advertisers in the 2014 Games event zones.</p> <p>In 2009/10, 40.9% of the Scottish population reported currently having no religion. One third (33.4%) of people reported their religion to be Church of Scotland, 14.7% Roman Catholic and 7.6% other Christian. After Christianity, Islam was the most common faith with 1.3% describing their religion as Muslim.</p> <p>In 2001, the proportion of all people in employment who were self-employed was highest for the following religion groups; Sikhs (33%), Muslims (29%) and Jewish (27%). By comparison, self-employment rates were substantially lower for the following religion groups; Other Christian (13%), Another Religion (12%) and Roman Catholic which had the lowest self-employment rate at 8%.</p>	<p>Scottish Household Survey 2009/10</p> <p>2001 Census, National Records of Scotland (NRS)</p>	<p>Given the low impact of the 2013 Regulations, we have no plans to gather more evidence as this would be disproportionate to the level of EQIA required.</p> <p>The 2013 Regulations apply to a specific, one-off event as opposed to general legislation which will be in force beyond the period of the 2014 Games.</p>

Stage 3: Assessing the impacts and identifying opportunities to promote equality

Having considered the data and evidence you have gathered, this section requires you to consider the potential impacts – negative and positive – that your policy might have on each of the protected characteristics. It is important to remember the duty is also a positive one – that we must explore whether the policy offers the opportunity to promote equality and/or foster good relations.

Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	<p>There is no evidence to indicate that any trader or advertiser is currently treated less favourably due to their protected characteristic.</p> <p>The 2013 Regulations enable the Organising Committee (OC) to authorise persons to trade/advertise in event zones during the restricted period in a way in which would otherwise constitute a trading offence under the 2008 Act. Wherever possible the OC will look to authorise an application by a trader who already holds a licence. The 2013 Regulations will therefore enable the majority of local businesses to continue to operate as normal and limit any negative impact on any protected group.</p>
Advancing equality of opportunity	X			<p>Any elderly spectators with a mobility impairment or very young spectators may benefit indirectly from the 2013 Regulations as the proposed controls on street trading will ensure there are sufficient and appropriate access routes to venues.</p>
Promoting good relations	X			<p>It is hoped that the efforts by the OC and local authorities to raise awareness about the 2013 Regulations and engage with local businesses will help promote good relations with all protected groups.</p>

Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			A lack of awareness of the 2013 Regulations might be more likely amongst those with a disability (e.g. persons with a visual impairment). The Organising Committee will continue with its efforts to raise awareness about the proposed restrictions, including holding face to face meetings with local businesses and attending events at the competition venues in the lead up to the Games.
Advancing equality of opportunity	X			Spectators with a mobility impairment may benefit indirectly from the 2013 Regulations as the proposed controls on street trading will ensure there are sufficient and appropriate access routes to venues.
Promoting good relations	X			It is hoped that the efforts by the OC and local authorities to raise awareness about the 2013 Regulations and engage with local businesses will help promote good relations with all protected groups.

Do you think that the policy impacts on men and women in different ways?

Sex (including pregnancy and maternity)	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	There is no evidence to indicate that any trader or advertiser is currently treated less favourably due to their protected characteristic. The 2013 Regulations enable the Organising Committee (OC) to authorise persons to trade/advertise in event zones during the restricted period in a way in which would otherwise constitute a trading offence under the 2008 Act. Wherever possible the OC will look to authorise an application by a trader who already holds a licence. The

					2013 Regulations will therefore enable the majority of local businesses to continue to operate as normal and limit any negative impact on any protected group. Information from Glasgow City Council (the main host local authority) indicates that there is an even mix of male/female street traders.
Advancing equality of opportunity				X	The authorisation process limits the impact of the outright ban on trading and advertising in Games locations. The ballot system to be employed for event zones where the number of applications exceed the trading spaces available will ensure all applicants have an equal chance of receiving authorisation.
Promoting good relations	X				It is hoped that the efforts by the OC and local authorities to raise awareness about the 2013 Regulations and engage with local businesses will help promote good relations with all protected groups.

Do you think your policy impacts on transsexual people?

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	There is no evidence to indicate that any trader or advertiser is currently treated less favourably due to their protected characteristic. The 2013 Regulations enable the Organising Committee (OC) to authorise persons to trade/advertise in event zones during the restricted period in a way in which would otherwise constitute a trading offence under the 2008 Act. Wherever possible the OC will look to authorise an application by a trader who already holds a licence. The 2013 Regulations will therefore enable the majority of local businesses to continue to operate as normal and limit any negative impact on any protected group.
Advancing equality of			X	The authorisation process limits the impact of the outright

opportunity					ban on trading and advertising in Games locations. The ballot system to be employed for event zones where the number of applications exceed the trading spaces available will ensure all applicants have an equal chance of receiving authorisation.
Promoting good relations	X				It is hoped that the efforts by the OC and local authorities to raise awareness about the 2013 Regulations and engage with local businesses will help promote good relations with all protected groups.

Do you think that the policy impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	There is no evidence to indicate that any trader or advertiser is currently treated less favourably due to their protected characteristic. The 2013 Regulations enable the Organising Committee (OC) to authorise persons to trade/advertise in event zones during the restricted period in a way in which would otherwise constitute a trading offence under the 2008 Act. Wherever possible the OC will look to authorise an application by a trader who already holds a licence. The 2013 Regulations will therefore enable the majority of local businesses to continue to operate as normal and limit any negative impact on any protected group.
Advancing equality of opportunity			X	The authorisation process limits the impact of the outright ban on trading and advertising in Games locations. The ballot system to be employed for event zones where the number of applications exceed the trading spaces available will ensure all applicants have an equal chance of receiving authorisation.
Promoting good relations	X			It is hoped that the efforts by the OC and local authorities to raise awareness about the 2013 Regulations and engage

					with local businesses will help promote good relations with all protected groups.
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Do you think the policy impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	X			A lack of awareness of the 2013 Regulations might be more likely amongst those for whom English is not their first language. The Organising Committee will continue with its efforts to raise awareness about the proposed restrictions, including holding face to face meetings with local businesses and attending events at the competition venues in the lead up to the Games. A “plain English” notice on the restrictions will be published and dedicated email address will be provided to address any specific enquiries.
Advancing equality of opportunity			X	The authorisation process limits the impact of the outright ban on trading and advertising in Games locations. The ballot system to be employed for event zones where the number of applications exceed the trading spaces available will ensure all applicants have an equal chance of receiving authorisation.
Promoting good race relations	X			It is hoped that the efforts by the OC and local authorities to raise awareness about the 2013 Regulations and engage with local businesses will help promote good relations with all protected groups.

Do you think the policy impacts on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	X			A lack of awareness of the 2013 Regulations might be more likely amongst those for whom English is not their first language. The Organising Committee will continue with its efforts to raise awareness about the proposed restrictions, including holding face to face meetings with local

				<p>businesses and attending events at the competition venues in the lead up to the Games. A “plain English” notice on the restrictions will be published and dedicated email address will be provided to address any specific enquiries.</p> <p>The first few days of the 2014 Games will be during Ramadan (the ninth month of the Islamic calendar during which Muslims worldwide observe a month of fasting). However, the 2013 Regulations are not expected to have any particular impact in this respect.</p> <p>The authorisation process limits the impact of the outright ban on trading and advertising in Games locations. The ballot system to be employed for event zones where the number of applications exceed the trading spaces available will ensure all applicants have an equal chance of receiving authorisation.</p> <p>It is hoped that the efforts by the OC and local authorities to raise awareness about the 2013 Regulations and engage with local businesses will help promote good relations with all protected groups.</p>
Advancing equality of opportunity			X	
Promoting good relations	X			

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

<p>Have positive or negative impacts been identified for any of the equality groups?</p>	<p>The Glasgow 2014 Commonwealth Games will offer health, social and economic benefits to the people of Scotland, particularly to those who live in and around Glasgow. In particular, we would expect to see increased trade in small shops in the vicinity of Games locations.</p> <p>The aims of the 2013 Regulations (to prevent ambush marketing; keep congestion to a minimum; provide safe and secure routes allowing for the free flow of spectators; and ensure the event zones have a consistent celebratory look and feel) will, either directly or indirectly, benefit all sections of society. In particular, spectators with a mobility impairment may benefit indirectly from the 2013 Regulations as the proposed controls on street trading will ensure there are sufficient and appropriate access routes to venues.</p> <p>The 2013 Regulations enable the Organising Committee (OC) to authorise persons to trade/advertise in event zones during the restricted period in a way in which would otherwise constitute a trading offence under the 2008 Act. Wherever possible the OC will look to authorise an application by a trader who already holds a licence. The 2013 Regulations will therefore enable the majority of local businesses to continue to operate as normal and limit any negative impact on any protected group. The ballot system to be employed for event zones where the number of applications exceed the trading spaces available will also ensure all applicants have an equal chance of receiving authorisation.</p> <p>It is hoped that the efforts by the OC and local authorities to raise awareness about the 2013 Regulations and engage with local businesses in a variety of ways (e.g. via the internet, in person, through written correspondence and easy to understand leaflets) will help promote good relations with all protected groups and also allow those with a disability (e.g. a visual impairment or learning difficulty) and those for whom English is not their first language to know about the restrictions and the authorisation process.</p>
<p>Is the policy directly or indirectly discriminatory under the Equality Act 2010?</p>	<p>No</p>

If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	N/a
If not justified, what mitigating action will be undertaken?	N/a

Describing how Equality Impact analysis has shaped the policy making process

The equality impact analysis process has helped to identify the different characteristics of groups who may be impacted by the regulations and any mitigating actions that may be required to limit any negative impact as a result of the policy. No changes to the 2013 Regulations or the underlying policy were considered necessary following the equality impact assessment. The proposals are intended to ensure fair, reasonable and proportionate regulation of trade and advertising around the event zones during the period of the 2014 Games. The 2013 Regulations will help to ensure a positive impact on people and communities by: enabling local businesses to operate as normal so far as possible during the period of the Games; ensuring safe and secure routes are in place for the free flow of spectators; and protecting the celebratory look and feel of the event zones. Efforts will continue to be made by the Glasgow 2014 Organising Committee to ensure widespread awareness of the restrictions across all sections of society (e.g. by publishing “plain English” guidance on the 2013 Regulations, producing easy to follow leaflets, providing a dedicated email address for any queries and attending events at competition venues in the lead up to the Games). The Scottish Government will continue to work with key stakeholders to ensure full account is taken of any equality issues that arise.

Monitoring and Review

As part of the implementation of the Commonwealth Games, the use of particular regulations, including the 2013 Regulations, will be monitored and lessons learned captured for future use. As the 2013 Regulations relate to a one-off event, it is not anticipated that regular monitoring will be required.

Stage 5 - Authorisation of EQIA

Please confirm that:

- ◆ This Equality Impact Assessment has informed the development of this policy:

Yes No

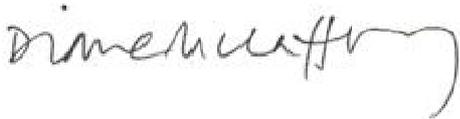
- ◆ Opportunities to promote equality in respect of age, disability, sex (including pregnancy and maternity), gender reassignment, sexual orientation, race and religion or belief have been considered, i.e:

- Eliminating unlawful discrimination, harassment, victimisation;
- Removing or minimising any barriers and/or disadvantages;
- Taking steps which assist with promoting equality and meeting people's different needs;
- Encouraging participation (e.g. in public life)
- Fostering good relations, tackling prejudice and promoting understanding.

Yes No

Declaration

I am satisfied with the equality impact assessment that has been undertaken for the Glasgow Commonwealth Games (Trading and Advertising) (Scotland) Regulations 2013 and give my authorisation for the results of this assessment to be published on the Scottish Government's website.



Name: Diane McLafferty

Position: Deputy Director for the Commonwealth Games

Authorisation date: 26 August 2013