

**Urgent by reason of the need to refer the report for Council's consideration on 7th March, 2022 with a view to introducing the scheme on 1st April, 2022.**

Meeting of:	<b>Cabinet</b>
Date of Meeting:	<b>Monday, 28 February 2022</b>
Relevant Scrutiny Committee:	Corporate Performance and Resources
Report Title:	Non-Domestic Rates - Retail, Hospitality & Leisure Rates Relief
Purpose of Report:	To confirm adoption of a Retail, Hospitality & Leisure Rates Relief Scheme for 2022/2023 in respect of qualifying business premises within the Vale of Glamorgan area under discretionary relief powers in accordance with section 47 of the Local Government Finance Act 1988
Report Owner:	Leader and Cabinet Member for Performance and Resources
Responsible Officer:	Carolyn Michael - Interim Head of Finance
Elected Member and Officer Consultation:	No Elected Members have been consulted. Operational Manager Exchequer Services
Policy Framework:	This is a matter for executive decision by Cabinet
<p>Executive Summary:</p> <ul style="list-style-type: none"> <li>• This report brings to the attention of Cabinet the Council's discretionary powers to award non-domestic rates relief to businesses within the Council's area under section 47 of the Local Government Finance Act 1988.</li> <li>• The report draws Cabinet's attention to the proposed funding that will be provided by Welsh Government in order to support businesses in the retail, hospitality and leisure sectors throughout the Council's area.</li> <li>• The report proposes that Cabinet adopts the Retail, Hospitality &amp; Leisure Rates Relief Scheme for 2022-23 in accordance with the provisions contained in Section 47 of the Local Government Finance Act 1988.</li> </ul>	

## **Recommendations**

- 1.** That Cabinet recommends to Full Council the following:
  - That Council adopts the Retail, Hospitality & Leisure Rates Relief Scheme for 2022-23 in accordance with the provisions contained in Section 47 of the Local Government Finance Act 1988.
  - That Council resolves to award relief to all qualifying businesses as in accordance with the Non-domestic Rates Retail, Hospitality & Leisure Rates Relief Guidance issued by the Welsh Government at Appendix A.
  - That Council resolves to award entitlement to eligible businesses following receipt of a valid application form.
- 2.** That the use of Article 14.14 of the Council's Constitution (Urgent decision Procedure) be authorised in respect of 1 above.

## **Reasons for Recommendations**

- 1.** To enable a scheme to be adopted using discretionary relief powers under section 47 of the Local Government Finance Act 1988 for the provision of Retail, Hospitality & Leisure Rates Relief for qualifying business premises within the Vale of Glamorgan area.
- 2.** The use of Article 14.14 will enable the issue to be reported to Council on the 7th March 2022 with a view to introducing the Scheme on the 1st April 2022.

## **1. Background**

- 1.1** An announcement was made on the 20th December 2021 by the Minister for Finance and Local Government, Rebecca Evans AM, to extend the Retail, Hospitality & Leisure Rates Relief Scheme for a further year. The Minister announced that £116M of support would be available in 2022/23 in order to help businesses in the retail, hospitality and leisure sectors with their non-domestic rates.
- 1.2** On the 7th February 2022 the Welsh Government confirmed the details of the Scheme. The estimated allocation of grant funding for the Vale of Glamorgan Council based on the numbers of eligible hereditaments on the local rating lists during the 2022-23 financial year will be £3.75M.
- 1.3** In order to accept the allocated funding, the Council must adopt the Retail, Hospitality & Leisure Rates Relief Scheme by the 31st March 2022 and provide to Welsh Government a revised eligibility calculation based on the number of hereditaments that will qualify for the award within the Council's area. The Welsh Government are providing an administrative grant to assist with the implementation of the scheme in the amount of £12,079.

## **2. Key Issues for Consideration**

- 2.1** The relief is aimed at businesses who operate in the retail, hospitality & leisure sectors in Wales.
- 2.2** The scheme will provide support of up to 50% of the Non-Domestic rates bill but will be capped at £110,000 per business across Wales.
- 2.3** In order to ensure maximum take-up, whilst minimising the administrative burden for ratepayers and local authority staff, qualifying businesses will be required to complete a short application process in order to confirm their eligibility.
- 2.4** An exercise has been carried out to extract data from the Council's business rates system and the estimated number of business ratepayers who may potentially qualify for relief under the scheme is 940, which will result in a revised calculation for a total sum of £3,734,000.

## **3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

- 3.1** The awarding of Retail, Hospitality & Leisure Rates Relief to local business within the Vale of Glamorgan contributes to the Well-being outcome of a Prosperous Wales by assisting local businesses who provide employment opportunities, thereby allowing people to take advantage of the wealth generated through securing decent work.
- 3.2** The proposals in this report will provide important financial assistance to businesses that are vital to the Council's local communities. As a result, this will enable the Council to continue to work towards the Well-being Outcome of Cohesive Communities by ensuring that businesses remain viable and can support their local communities, some of which may be rural in nature.

## **4. Resources and Legal Considerations**

### **Financial**

- 4.1** The Welsh Government has confirmed the details of the Scheme and the estimated allocation of grant funding for the Vale of Glamorgan Council based on the numbers of eligible hereditaments on the local rating lists during the 2022-23 financial year will be £3.75M.
- 4.2** However, the Council is required to submit a revised eligibility calculation by the 31st March 2022 based on the number of hereditaments that will qualify for the reduction.

- 4.3** An exercise has been carried out to extract data from the Council's business rates system and the estimated number of business ratepayers who may potentially qualify for relief under the scheme is 940, which will result in a revised calculation for a total sum of £3,734,000

#### **Employment**

- 4.4** None

#### **Legal (Including Equalities)**

- 4.5** The Council will be required to implement the Retail, Hospitality & Leisure Rates Relief Scheme in line with Welsh Government Regulations and Guidance.
- 4.6** The Welsh Government has assessed the equality implications when implementing the Welsh Retail Relief Scheme and produced the relevant Equality Impact Assessment which is attached at Appendix B. The Retail, Hospitality & Leisure Rates Relief is a continuation of this scheme.

### **5. Background Papers**

Appendix A - Welsh Government Retail, Hospitality & Leisure Rates Relief Guidance

Appendix B - Welsh Government Equality Impact Assessment - Welsh Retail Relief Scheme

# Non-Domestic Rates – Retail, Leisure and Hospitality Rates Relief in Wales – 2022-23

## Guidance

### About this guidance

This guidance is intended to support county and county borough councils (local authorities) in administering the Retail, Leisure and Hospitality Rates Relief scheme (the relief). On 20 December 2021, the Minister for Finance and Local Government announced the continuation of the relief on a temporary basis for 2022-23. This guidance applies to Wales only.

This guidance sets out the criteria which the Welsh Government will use to determine the funding for local authorities for relief provided to retail, leisure and hospitality properties. The guidance does not replace any existing non-domestic rates legislation or any other relief.

Enquiries about the scheme should be sent to:

[localtaxationpolicy@gov.wales](mailto:localtaxationpolicy@gov.wales)

The relief is being offered from 1 April 2022 and will be available until 31 March 2023.

### Introduction

This relief is aimed at businesses and other ratepayers in Wales in the retail, leisure and hospitality sectors, for example shops, pubs and restaurants, gyms, performance venues and hotels.

The Welsh Government will provide grant funding to all 22 local authorities in Wales to provide the Retail, Leisure and Hospitality Rates Relief scheme to eligible businesses for 2022-23. The scheme aims to provide support for eligible occupied properties by offering a discount of 50% on non-domestic rates bills for such properties. The scheme will apply to all eligible businesses, however the relief will be subject to a cap in the amount each business can

claim across Wales. The total amount of relief available is £110,000 across all properties occupied by the same business. All businesses are required to make a declaration that the amount of relief they are seeking across Wales does not exceed this cap, when applying to individual local authorities. An example declaration form is at [Annex 1](#) for local authorities to utilise when developing their own forms to publish and issue to businesses.

This document provides guidance on the operation and delivery of the scheme.

## **Retail, Leisure and Hospitality Rates Relief**

### **How will the relief be provided?**

As this is a temporary measure, we are providing the relief by reimbursing local authorities that use their discretionary relief powers under section 47 of the Local Government Finance Act 1988. It will be for individual local authorities to adopt a scheme and decide in each individual case when to grant relief under section 47. The Welsh Government will reimburse local authorities for the relief that is provided in line with this guidance via a grant under section 31 of the Local Government Act 2003 and section 58A of the Government of Wales Act 2006.

### **How will the scheme be administered?**

It will be for local authorities to determine how they wish to administer the scheme to maximise take-up and minimise the administrative burden for ratepayers and for local authority staff.

Local authorities are responsible for providing businesses with clear and accessible information on the details and administration of the scheme. If, for any reason, an authority is unable to provide this relief to eligible businesses from 1 April 2022, consideration should be given to notifying eligible businesses that they qualify for the relief and that their bills will be recalculated.

### **Which properties will benefit from relief?**

Properties that will benefit from this relief will be occupied retail, leisure and hospitality properties – such as shops, pubs and restaurants, gyms, performance venues and hotels across Wales. More detailed eligibility criteria and exceptions to the relief are set out below.

Relief should be granted to each eligible business as a reduction to its rates bill based on occupation between 1 April 2022 and 31 March 2023. It is recognised that there may be some instances where a local authority is retrospectively notified of a change of occupier. In such cases, if it is clear

that the business was in occupation on or after the 1 April 2022, the local authority may use its discretion in awarding relief.

It is intended that, for the purposes of this scheme, retail properties such as 'shops, restaurants, cafes and drinking establishments' will mean the following (subject to the other criteria in this guidance).

Hereditaments that are being used for the sale of goods to visiting members of the public

**Hereditaments that are being used for the sale of goods to visiting members of the public**

- Shops (such as florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off-licences, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Pharmacies
- Post offices
- Furnishing shops or display rooms (such as carpet shops, double-glazing, garage doors)
- Car or caravan showrooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale or hire)

**Hereditaments that are being used for the provision of the following services to visiting members of the public**

- Hair and beauty services
- Shoe repairs or key cutting
- Travel agents
- Ticket offices (e.g. for theatre)
- Dry cleaners
- Launderettes
- PC, TV or domestic appliance repair
- Funeral directors

- Photo processing
- DVD or video rentals
- Tool hire
- Car hire
- Estate and letting agents

**Hereditaments that are being used for the sale of food and / or drink to visiting members of the public**

- Restaurants
- Drive-through or drive-in restaurants
- Takeaways
- Sandwich shops
- Cafés
- Coffee shops
- Pubs
- Bars or Wine Bars

We consider assembly and leisure to mean the following.

**Hereditaments that are being used for the provision of sport, leisure and facilities to visiting members of the public (including for the viewing of such activities) and for the assembly of visiting members of the public**

- Sports grounds and clubs
- Sport and leisure facilities
- Gyms
- Tourist attractions
- Museums and art galleries
- Stately homes and historic houses
- Theatres
- Live Music Venues
- Cinemas
- Nightclubs

**Hereditaments that are being used for the assembly of visiting members of the public**

- Public halls
- Clubhouses, clubs and institutions

We consider hotels, guest and boarding premises, and self-catering accommodation to mean the following.

### **Hereditaments where the non-domestic part is being used for the provision of living accommodation as a business**

- Hotels, Guest and Boarding Houses,
- Holiday homes,
- Caravan parks and sites

### **Other considerations**

To qualify for the relief, the hereditament should be wholly or mainly used for the qualifying purposes. In a similar way to other reliefs, this is a test on use rather than occupation. Therefore, hereditaments that are occupied, but not wholly or mainly used for the qualifying purpose, will not qualify for the relief. For the avoidance of doubt, hereditaments which closed temporarily due to the government's advice on Covid-19 should be treated as occupied for the purposes of this relief.

The above list is not intended to be exhaustive as it would be impossible to list all the many and varied retail, leisure and hospitality uses that exist. There will also be mixed uses. However, it is intended to be a guide for local authorities as to the types of uses that the Welsh Government considers for this purpose to be eligible for relief. Local authorities should determine for themselves whether particular properties not listed are broadly similar in nature to those above and, if so, to consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those listed above should not be eligible for the relief.

The grant of the relief is discretionary. Should local authorities decide to exercise their discretion not to apply the relief to eligible businesses, they may wish to consider taking their own legal advice upon any potential consequential legal issues which might arise from such a decision and on a case by case basis.

Businesses may view that they have been able to continue trading at a substantial level during Coronavirus restrictions and as such may be inclined to not apply for the relief.

### **Types of hereditaments that are not considered to be eligible for Retail, Leisure and Hospitality Rates Relief**

The following list sets out the types of uses that the Welsh Government does not consider to be retail, leisure or hospitality use for the purpose of this relief and which would not be deemed eligible for the relief. However, it will be for local authorities to determine if hereditaments are similar in nature to those listed and if they would not be eligible for relief under the scheme.

#### **Hereditaments that are being used wholly or mainly for the provision of the following services to visiting members of the public**

- Financial services (eg banks, building societies, cash points, ATMs, bureaux de change, payday lenders, betting shops, pawnbrokers)
- Medical services (eg vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (eg solicitors, accountants, insurance agents, financial advisers, tutors)
- Post Office sorting offices
- Day nurseries
- Kennels and catteries
- Casinos and gambling clubs
- Show homes and marketing suites
- Employment agencies

#### **Hereditaments that are not reasonably accessible to visiting members of the public**

If a hereditament is not usually reasonably accessible to visiting members of the public, it will be ineligible for relief under the scheme, even if there is ancillary use of the hereditament that might be considered to fall within the descriptions listed under *Which properties will benefit from relief?*

#### **Hereditaments that are not occupied**

Properties that are not occupied on 1 April 2022 should be excluded from this relief. However, under the mandatory Empty Property Rates Relief scheme, empty properties will receive a 100% reduction in rates for the first three months (and in certain cases, six months) of being empty.

#### **Hereditaments that are owned, rented or managed by a local authority**

Hereditaments owned, rented or managed by a local authority, such as visitor centres, tourist information shops and council-run coffee shops or gift shops attached to historic buildings, are exempt from this scheme.

#### **How much relief will be available?**

The total amount of government funded relief available for each property under this scheme for 2022-23 is 50% of the relevant bill. This is subject to a cap of £110,000 per business across all their properties in Wales. The relief should be applied to the net bill remaining after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied (excluding those where local authorities have used their wider discretionary relief powers introduced by the Localism Act 2011, which are not funded by section 31 grants).

The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a particular hereditament in the financial year.

Amount of relief to be granted =  $V/2$ , where

V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs (excluding those where local authorities have used their discretionary relief powers introduced by the Localism Act 2011, which are not funded by section 31 grants).

This should be calculated ignoring any prior-year adjustments in liabilities which fall to be liable on the day.

Businesses who occupy more than one property will be entitled to Retail, Leisure and Hospitality Rates Relief for each of their eligible properties, within the cap of £110,000 per business across Wales.

A business with a single property with a remaining liability (after reliefs) greater than £220,000 can use the entire allocation of relief. No other properties owned by that business will be eligible for the scheme.

Retail, leisure and hospitality properties which are excluded from Small Business Rates Relief due to the multiple occupation rule are eligible for this relief scheme, subject to the cap being applied.

## **Changes to existing hereditaments, including change in occupier**

Empty properties becoming occupied after 1 April 2022 will qualify for this relief from the time of occupation.

If there is a change in occupier part way through the financial year, after relief has already been provided to the hereditament, the new occupier will qualify for the relief if they operate in the retail, leisure or hospitality sectors, on a pro-rata basis. This will be calculated based on the remaining days of occupation using the formula used in the section titled *How much relief will be available?*

The discount should be applied on a day-to-day basis using the formula set out above. A new hereditament created as a result of a split or merger during the financial year, or where there is a change of use, should be considered afresh for the discount on that day.

## **State Aid / Subsidy Control Regime**

Following the end of the transition period for the United Kingdom leaving the European Union on 31 December 2020, EU State Aid regulations only apply in limited circumstances. As the relief is not funded by EU residual funds, EU State Aid regulations no longer apply for this scheme. As of 1 January 2021, the UK Subsidy Regime came into force. The scheme is considered by the Welsh Government to be outside the scope of any international trade agreements as measures are focused locally within Wales.

## **Example Declaration Form**

An example declaration form is at [Annex 1](#) for local authorities to utilise when developing their own forms to publish and issue to businesses.

## Equality Impact Assessment (EIA) Template – Part 1

<b>Policy title and purpose (brief outline):</b>	<b>Business Rates Relief Wales Retail Relief Scheme</b>
<b>Name of official:</b>	<b>Audrey Johns</b>
<b>Department:</b>	<b>ES&amp;T</b>
<b>Date:</b>	<b>March 2014</b>
<b>Signature:</b>	

## **1. Please provide a brief description of the policy/decision.**

### **Background**

The Minister for Economy, Science and Transport established the Business Rates Task and Finish Group in November 2011.

During their two-year existence the Task and Finish Group produced three reports on a range of business rates policy issues. One of these included a recommendation to develop a targeted fund to support businesses negatively affected by revaluation. The Group advised that this should be targeted at high street retailers.

The UK Government has also announced that they will introduce a business rates discount of £1,000 for retail and food and drink premises with a rateable value below £50,000 for 2 years up to the state aid limits from 1 April 2014.

### **Administration and Delivery**

The policy will be funded via a Welsh Government grant to local authorities.

Local authorities that choose to participate will administer the scheme alongside other rate reliefs. They will be responsible for promoting the scheme in their area and for interfacing directly with applicants.

## **2. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?**

In October 2012, the Welsh Government responded to the recommendations of the Business Rates Review Wales, an independent report from the Business Rates Task and Finish Group.

Recommendation 15 proposed consultation with the charitable and retail sectors to review the business rates reliefs that are available to charities and social enterprises.

The Minister for Economy, Science and Transport asked the Task and Finish Group to undertake this consultation and prepare specific recommendations on this issue.

Their independent report was published and made ten recommendations as well as further issues for consultation.

The summary of consultation responses is available here:

<http://wales.gov.uk/topics/businessandconomy/policy/brr/?lang=en>

Organisations that represent the interests of protected groups provided responses to the consultation which covered the provision of support for retail premises in town centres. No issues relating to differential impact and business rates relief targeted at retail were raised through the consultation process.

**3. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?**

Two key issues have been considered:

- Administration of the scheme and access.
- Whether the scheme is likely to have a disproportionate impact on certain groups by virtue of the way that it is targeted.

**Administration of the scheme and access**

The scheme will be administered by local authorities. Local authorities are obliged to meet the requirements of the Equality Act and will be responsible for making sure that the scheme is administered and marketed in a way that is accessible to all groups.

**Targeting of the scheme and disproportionate impact**

Relief provided under the scheme will be available to ratepayers that occupy retail and food and drink premises with a rateable value of £50,000 or less. A maximum of £1000 discount can be applied to the rates bill for the year 2014-5, although eligibility for the scheme is limited by State Aid Regulations.

Business that are in receipt of mandatory charity rates relief will not be eligible for support under the scheme, although the relief can be applied in addition to other rates reliefs.

Consideration has been given to whether, by virtue of the nature and targeting of the scheme, it is likely to have a disproportionate impact on people sharing the protected characteristics listed in the Equality Act 2010.

Evidence gathered for the equality impact assessment suggests that the scheme is unlikely to have a significant differential impact on protected groups.

**Nature of Business likely to Benefit from Support**

The scheme supports retail and food and drink premises.

Evidence suggests that there are more women employed in retail than men across the sector but that women are underrepresented at

management levels<sup>1</sup>. This means that, if businesses receiving the relief are primarily retail businesses, the scheme may benefit more women than men in terms of access to increased employment opportunities. However the scheme is aimed at businesses rather than at individuals, and further action to address the issue of gender employment in retail is considered to be outside the scope of the Scheme.

### Size of Business likely to Benefit from Support

The rateable value cap that is applied to the scheme means that it is more likely that smaller businesses will benefit from support. Support is further limited by a state aid cap which is likely to preclude very large organisations from benefitting.

No evidence has been identified to suggest that this aspect of the targeting of the scheme is likely to result in differential impact on protected groups.

### Geographical Targeting

The grant funding offer would be made to all local authorities in Wales.

Although the scheme is aimed at supporting the development of sustainable and vibrant town centres, retail and food and drink premises outside town centres and in rural areas can also benefit.

The evidence gathered suggests that the scheme is unlikely to have a differential impact as a result of geographical targeting.

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<sup>1</sup> Broadridge, A (2007) Dominated by women: managed by men? The career development process of retail managers. *International Journal of Retail and Distribution Management* Vol. 35 No 12 pp956-974

***It is important to note any opportunities you have identified that could advance or promote equality.***

**Impact**

**Please complete the next section to show how this policy / decision / practice could have an impact (positive or negative) on the protected groups under the Equality Act 2010 (refer to the EIA guidance document for more information).**

**4.1 Do you think this policy / decision / practice will have a positive or negative impact on people because of their age?**

<b>Age</b>	<b>Positive</b>	<b>Negative</b>	<b>None / Negligible</b>	<b>Reasons for your decision (including evidence) / How might it impact?</b>
Younger people  <i>(Children and young people, up to 18)</i>			x	The scheme is aimed at supporting retail and food and drink premises. This is likely to have both direct and indirect positive impacts on younger people where jobs and services are sustained or created in a retail area as a result of the support available. No evidence has been identified to suggest that the scheme would have a differential impact on this group.
People 18-50			x	As above

Older people (50+)			x	As above
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#### 4.2 Because they are disabled?

Impairment	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Visual impairment Hearing impairment Physically disabled Learning disability Mental health problems Other impairments issues			x	<p>The scheme is aimed at supporting retail and food and drink premises. This is likely to have both direct and indirect positive impacts on disabled people where jobs and services are sustained or created in a retail area as a result of the support available.</p> <p>No evidence has been identified to suggest that the scheme would have a differential impact on this group.</p> <p>Local authorities are required by the Equality Act 2010 to ensure that the scheme is accessible. Guidance to local authorities requires that the application</p>

				<p>process is accessible.</p> <p>Local authorities are obliged to meet the requirements of the Equality Act 2010 in the marketing and administration of the scheme.</p>
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#### 4.3 Because of their gender (man or woman)?

Gender	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Male/Female			x	<p>The scheme is aimed at supporting retail and food and drink premises. This is likely to have both direct and indirect positive impacts by gender where jobs and services are sustained or created in a retail area as a result of the support available.</p> <p>Evidence suggests that the scheme may have a slightly more significant impact on women than men in terms of access to employment opportunities where these are created or</p>

				<p>sustained in retail businesses as a result of the scheme.</p> <p>Local authorities are obliged to meet the requirements of the Equality Act 2010 in the marketing and administration of the scheme and to ensure that it is accessible.</p>
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#### 4.4 Because they are transgender?

Transgender	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
			<b>x</b>	<p>The scheme is aimed at supporting retail and food and drink premises. This is likely to have both direct and indirect positive impacts on this group where jobs and services are sustained or created in a retail area as a result of the support available.</p> <p>No evidence has been identified which indicates that the scheme might have a significant</p>

				<p>differential impact on this group.</p> <p>Local authorities are obliged to meet the requirement of the Equality Act 2010 in the marketing and administration of the scheme.</p>
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#### 4.5 Because of their marriage or civil partnership?

<b>Marriage and Civil Partnership</b>	<b>Positive</b>	<b>Negative</b>	<b>None / Negligible</b>	<b>Reason for your decision (including evidence)/ How might it impact?</b>
Marriage			<b>x</b>	No evidence has been identified to suggest that the scheme is likely to have a significant differential impact on this group.
Civil Partnership			<b>x</b>	As above.

#### 4.6 Because of their pregnancy or maternity?

<b>Pregnancy and Maternity</b>	<b>Positive</b>	<b>Negative</b>	<b>None / Negligible</b>	<b>Reason for your decision (including evidence) / How might it impact?</b>
Pregnancy			<b>x</b>	No evidence has been identified which indicates that the scheme might have

				a significant differential impact on this group.
Maternity (the period after birth)			<b>x</b>	As above

#### 4.7 Because of their race?

Race	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Ethnic minority people e.g. Asian, Black,			x	<p>The scheme is aimed at supporting retail and food and drink premises. This is likely to have both direct and indirect positive impacts where jobs and services are sustained or created in a retail area as a result of the support available.</p> <p>No evidence has been identified which indicates that the scheme might have a significant differential impact on this group.</p> <p>Local authorities are obliged to meet the requirements of the Equality Act 2010 in the marketing and</p>

				administration of the scheme and to ensure that it is accessible.
National Origin (e.g. Welsh, English)			x	As above
Asylum Seeker and Refugees			x	As above
Gypsies and Travellers			x	As above
Migrants			x	As above
Others			x	As above

#### 4.8 Because of their religion and belief or non-belief?

Religion and belief or non – belief	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists, Hindus, Others (please specify)			x	The scheme is aimed at supporting retail and food and drink premises in town centres. This is likely to have both direct and indirect positive impacts for these groups where jobs and services are sustained or created in a retail area as a result of the support available.  No evidence has been identified to

				<p>suggest that the scheme is likely to result in a significant differential impact on this group.</p> <p>Local authorities are obliged to meet the requirements of the Equality Act 2010 in the marketing and administration of the scheme.</p>
Belief e.g. Humanists			x	As above
Non-belief			x	As above

#### 4.9 Because of their sexual orientation?

Sexual Orientation	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Gay men			x	<p>The scheme is aimed at supporting retail and food and drink premises. This is likely to have both direct and indirect positive impacts where jobs and services are sustained or created in a retail area as a result of the support available.</p> <p>No evidence has been identified which indicates that the scheme might have a significant differential</p>

				impact on this group.  Local authorities are obliged to meet the requirements of the Equality Act 2010 in the marketing and administration of the scheme.
Lesbians			x	As above
Bi-sexual			x	As above

**4.10 Do you think that this policy will have a positive or negative impact on people’s human rights? Please refer to point 1.4 of the EIA Annex A - Guidance for further information about Human Rights.**

Human Rights	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Human Rights including Human Rights Act and UN Conventions			x	

***If you have identified any impacts (other than negligible ones), positive or negative, on any group with protected characteristics, please complete Part 2.***

***Only if there are no or negligible positive or negative impacts should you go straight to part 2 and sign off the EIA.***

## **Equality Impact Assessment – Part 2**

### **1. Building on the evidence you gathered and considered in Part 1, please consider the following:**

#### **1.1 How could, or does, the policy help advance / promote equality of opportunity?**

For example, positive measures designed to address disadvantage and reach different communities or protected groups?

The marketing of the scheme will need to have a sufficiently broad reach to ensure that people from under-represented groups are aware of scheme.

Business support providers have been made aware that the scheme has been offered to local authorities through internal briefings and information posted on the Business Wales website.

Local authorities will be responsible for the marketing of the scheme in their area. Guidance for local authorities which covers the administration of the scheme will require that information is accessible.

This Equality Impact Assessment will be shared with local authorities to ensure that they are aware of their obligations under equalities legislation in terms of marketing and communications.

#### **1.2 How could / does the policy / decision help to eliminate unlawful discrimination, harassment or victimisation?**

It is not evident that the policy might have a role in eliminating unlawful discrimination or harassment.

The evidence suggests that more women than men may benefit from any retail employment opportunities that arise as a direct or indirect result of the scheme. However given that the scheme is not limited to retail, and that it is aimed at businesses rather than individuals, further action to address the issue of gender employment in retail is considered to be outside the scope of the scheme.

Employers that receive rates relief are obliged to operate in line with current employment legislation.

#### **1.3 How could/does the policy impact on advancing / promoting good relations and wider community cohesion?**

Addressing issues relating to access to employment for protected groups is considered to be outside the scope of the scheme, however the scheme has a wider contribution to make both in increasing the vibrancy of town centres and retail areas for all groups and in sustaining businesses and job opportunities more generally.

## 2. Strengthening the policy

**2.1 If the policy is likely to have a negative effect ('adverse impact') on any of the protected groups or good relations, what are the reasons for this?**

**What practical changes/actions could help reduce or remove any negative impacts identified in Part 1?**

n/a

**2.2 If no action is to be taken to remove or mitigate negative / adverse impact, please justify why.**

**(Please remember that if you have identified unlawful discrimination (immediate or potential) as a result of the policy, the policy must be changed or revised.)**

n/a

## 3. Monitoring, evaluating and reviewing

**How will you monitor the impact and effectiveness of the policy?**

List details of any follow-up work that will be undertaken in relation to the policy (e.g. consultations, specific monitoring etc).

Data on the implementation of the scheme (numbers of businesses receiving relief and total relief provided) will be collected.

#### 4. Declaration

**\*Please delete as appropriate:**

**The policy does not have a significant impact upon equality issues**

<b>Official completing the EIA</b>
Name: Audrey Johns
Department: Economy, Science and Transport
Date:02-10-13
Signature:
<b>Head of Division (Sign-off)</b>
Name: Tracey Burke
Job title and department: Director, Strategy, Department for Economy, Science and Transport
Date:
Signature: by email

Review Date: