

Equality Impact Assessment: Legal Obstacles to Port Marine Safety Code Compliance

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive 01/11/2022 Council 13/12/2022	Legal Obstacles to Port Marine Safety Code Compliance	To commence work on obtaining a Harbour Revision Order so as to continue progress towards Port Marine Safety Code compliance	None

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This is must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low**

assessment is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact –some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).		Neutral	The decision is to commence work on a harbour revision order which is a legislation led process which will, if successful, give additional powers to the Council to manage the harbour more effectively.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.		Neutral	As Above
Sex/Gender		Neutral	As Above
Gender reassignment		Neutral	As Above
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).		Neutral	As Above
Sexual orientation (including heterosexual, lesbian, gay, bisexual).		Neutral	As Above
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The		Neutral	As Above

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
age categories are for illustration only as overriding consideration should be given to needs).			
Pregnancy and maternity including new and breast feeding mothers		Neutral	As Above
Marriage and civil partnership status		Neutral	As above

Actions identified that will mitigate any negative impacts and/or promote inclusion

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