

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated November 2021 – for LGR use)

Taxi License Policy Harmonisation

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যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھیے۔



Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs it is good practice to publish them. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Please note: The decision has been made to complete EIAs at LGR programme level, workstream level and individual project level. The EIAs must be updated throughout the process of reorganisation and transformation.

Name of Workstream	Licensing
Lead Officer and contact details	Sharon Cousins, Licensing Manager Selby Council scousins@selby.gov.uk 01757 705101
Names and roles of other people involved in carrying out the EIA	John Laking, Senior Strategy and Performance Officer
How will you pay due regard? e.g. working group, individual officer	The process of reviewing the 7 hackney carriage and private hire licensing policies currently in place has been carried out by the licensing sub-group as part of Local Government Reorganisation

When did the due regard process start?	July 2022

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

The taxi and private hire licensing policy is an important document that demonstrates commitment to securing public safety, provides clarity for applicants and licence holders, assists decision making, facilitates enforcement activities and helps safeguard against legal challenge. The creation of North Yorkshire Council presents an opportunity to create a new policy that incorporates the existing 7 District and Borough councils' policies and reflect the new statutory taxi and private hire vehicle standards, promoting the highest possible standards of public safety. Together with supporting the new Council's emerging key priorities of improving accessibility, protecting the environment and promoting the local economy. A draft policy has been prepared with the aim of adoption and implementation by April 2023.

As part of Local Government re-organisation (LGR), the licensing sub-stream have been looking at the risks involved with retaining the existing seven hackney carriage zones and associated policies from day one of the new North Yorkshire Council. Officers supported by legal advice agree that the risks to the Council are too great to not implement a new hackney carriage and private hire licensing policy. This policy will cover the whole of the new Council area and, following the adoption of the Local Government (Miscellaneous Provisions) Act 1976 ("the Act"), create a single hackney carriage zone allowing vehicles to operate freely.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

A hackney carriage and private hire licensing draft policy has been created. This policy amalgamates the current seven separate district policies to create one Council policy. This is the best way to ensure consistent decision making across the Council and mitigate the risk of legal challenge from inconsistent decision making.

As hackney carriage zones will be removed following adoption of the Act, hackney carriages will be able to operate anywhere within the new district. If the existing zones were retained, a hackney carriage dropping a passenger in a different district within the North Yorkshire area would have to drive back to the district they were licensed in before they were able to pick up another fare. Under one zone (the whole of North Yorkshire), they would be able to pick up a passenger in any district they dropped a passenger in, providing greater flexibility for both passengers and drivers whilst also eliminating dead mileage costs.

Across North Yorkshire there are 82 wheelchair accessible vehicles these are spread through the 7 taxi zones as follows:

Number of Wheelchair accessible vehicles	
Selby	9
Hambleton	6
Ryedale	5
Scarborough	25
Richmondshire	14
Craven	2
Harrogate	21
Total Number of Wheelchair Accessible Vehicles in North Yorkshire, as of September 2022	82

The removal of zones and restrictions on hackney carriages will hopefully result in a wider distribution of wheelchair accessible vehicles across the whole of the Council area. This will provide a greater choice of wheelchair accessible vehicles for wheelchair users, particularly for people in areas where provision is more limited at present.

In preparing the draft policy, correspondence and communication from individuals and representative groups have been reviewed. There is belief amongst disabled users and groups supporting disabled people, that there are insufficient accessible taxis available to support their independence. At present, we do not have data consistently recording the unmet demand for accessible vehicles.

Operators often report that they have difficulties recruiting drivers for wheelchair accessible vehicles. The perception amongst many currently is that the additional dead mileage and additional time to board and secure wheelchair bound passengers reduces the earning potential for drivers undertaking wheelchair hires, compared with driver earning potential when using non-wheelchair accessible vehicles. The removal of zones and the effects will hopefully mean this difficulty to recruit will ease.

The new single policy will mean that that the Council has a consistent set of standards for licence holders to adhere too. This reduces the chances of legal challenge to the Council and any unintended consequences arising from different licensing regimes.

The draft policy proposes applicants complete a written test delivered by the Council on the applicants understanding of the English language, as recommended by the Department for Transport (Statutory Standards for Taxi and private hire vehicles: DfT, *June 2020*).

Section 3. What will change? What will be different for customers and/or staff?

The adoption of one Council hackney carriage and private hire licensing policy will be of benefit to officers, members, licence holders and members of the public. Having one

policy as opposed to 7 different policies to work from, will show consistency across the whole of the Council area and make it easier for the traveling public to understand what is available. There will be no confusion by the trade or public as to what policy is in place in what area. The Council's minimum standards will be clear for all under the one policy.

The policy has been created by amalgamating, as much as possible, the 7 different policies currently in place. Although there will be some minor changes, affecting some individual licence holders across the county, most of the requirements are similar and appropriate adoption arrangements have been addressed in the policy to support transition for current licence holders.

Following the adoption of the Act, hackney carriage drivers will be able to work across the whole of the Council area, removing dead mileage, as stated under section 2 above. Providing wheelchair users with increased choice of wheelchair accessible vehicles they have access too. The removal of the zones will mean that a wheelchair accessible vehicle will be able to drop off a passenger and pick up a fare across the Council area, making the likelihood of a wheelchair accessible vehicle waiting at a rank on occasion more likely. The adoption of a single charging level across all North Yorkshire will implement consistency and fairness for all passengers.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

The draft policy stems from the amalgamation of the policies of seven districts in North Yorkshire. All these policies have been through a thorough consultation processes already in their own right.

Once permission to consult on the draft policy has been granted, a 12-week public consultation will commence. Officers have already received emails from disability groups showing their interest in any draft policy, and the recommendation has been to ensure that they share their views as part of the public consultation.

Engagement with North Yorkshire Accessible Transport Group has begun, and officers met with the group on the 26 September 2022.

Data describing demand and demographic characteristics of users is limited. An assessment of responder equality data will be undertaken from the consultation responses.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result.

There is no cost to the Council for adopting the one hackney carriage and private hire licensing policy. However, there is a financial risk to the Council if the Council chooses not to adopt the one policy and work from seven separate policies. This risk will take the form of potential legal challenges based on inconsistent decision making across the Council area.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age	X			
Disability		X	X	<p>The adoption of the Act will mean that wheelchair accessible vehicles currently licensed in each district will be available for hire across the whole of North Yorkshire and will be included on the Councils wheelchair accessible list of vehicles</p> <p>The policy does not require all hackney carriages to be wheelchair accessible, however a mixed fleet ensures that all types of disabilities are catered for, including larger wheelchair accessible vehicles which some elderly and people with other mobility issues may have difficulty getting into.</p> <p>Selby District currently requires all new hackney carriages to be wheelchair accessible. This will change with this policy.</p>
Sex	X			
Race	X			

Gender reassignment	X			
Sexual orientation	X			
Religion or belief	X			
Pregnancy or maternity	X			
Marriage or civil partnership	X			

Section 7. How will this proposal affect people with the following characteristics	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Live in a rural area		X		The removal of hackney carriage zones would mean that more vehicles are available for bookings in more rural areas.
Have a low income		X		Common and published charging arrangements will make it easier to plan with confidence journeys that need to be made
Carers (unpaid family or friend)	X			
Health and wellbeing issues		X		The provision of a wider fleet will mean more choice for all customers.

Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)	
North Yorkshire wide	X
Craven district	X
Hambleton district	X
Harrogate district	X
Richmondshire district	X
Ryedale district	X
Scarborough district	X

Selby district	X
If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	
<p>The adoption of a single policy, together with the creation of a single zone will result in changes for the taxi trade across North Yorkshire . However, all the standards and requirements proposed have been included in-line with legislation and government guidance, thereby ensuring that the Council is achieving its key aim of protecting the public.</p> <p>The removal of hackney carriage zones will require some time to allow the trade to adjust. The work with other Councils who have already been through this process shows that any unrest usually settles in a short period of time, and there is no negative impact on the local trades.</p>	

<p>Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.</p> <p>N/A</p>

Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	X
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	

The number and type of licensed vehicles on the road on vesting date will be the same as the day before, but the hackney carriage fleet would be in a better position to work anywhere within the county, which is of benefit to all customers including the disabled.

However, it has been seen that there is a lack of data on usage, and that early engagement with Accessible Transport Group suggests some dissatisfaction with the provision of wheelchair accessible vehicles. It is proposed that specific engagement on potential measures to attain acceptable numbers of accessible vehicles continues moving forward after vesting date.

Section 11. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

The Councils policy will always be under review, with a commitment to formally review no later than 2028. The Licensing team will continue to monitor the impact of the policy prior to this time and will consider any feedback received.

Section 12. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements

Section 13. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

Following the completion of the Equality Impact assessment it was noted that wheelchair users would still have limited access to a fully accessible vehicle which would allow them to remain seated in the vehicle. The introduction of the Taxis and Private Hire Vehicles

(Disabled Persons) Act 2022 amended Section 167 of the Equality Act 2010 requires Licensing Authorities to publish a list of wheelchair accessible vehicles licensed in the district. The adoption of the Act, which would make the whole of North Yorkshire one area for hackney carriages to work in will enable the Council to publish a single comprehensive list of wheelchair accessible vehicles, creating more choice for wheelchair users.

There is a requirement for applicants to complete a written English test. This helps provide public safety by ensuring that drivers are fully able to understand what their customers are telling them and conform with statutory standards.

Section 14. Sign off section

This full EIA was completed by:

Name: Sharon Cousins

Job title: Licensing Manager, Selby District Council

Signature: 

Completion date: 15 August 2022

Authorised by relevant senior officer (signature):



Date:

27/9/22