

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

(Form updated November 2021 – for LGR use)

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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 پوچھئے۔

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 <a href="mailto:scousins@selby.gov.uk">scousins@selby.gov.uk</a> 01757 705101
Names and roles of other people involved in carrying out the EIA	Gareth Bentley, Food, Licensing and Occupational Safety Manager, Harrogate Borough Council <a href="mailto:Gareth.bentley@harrogate.gov.uk">Gareth.bentley@harrogate.gov.uk</a>
How will you pay due regard? e.g. working group, individual officer	Hackney Carriage Drivers Hackney Carriage Proprietors Members of the public who use Hackney Carriage Vehicles businesses

When did the due regard process start?	June 2022
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**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 Local Government (Miscellaneous Provisions) Act 1976 (“the Act”) provides that in respect of charges for Hackney Carriages, “the Council may fix the rates or fares within the district”.

Officers working on the Licensing areas for the Local Government Reorganisation (“LGR”) process, established early on that there was a significant risk to the Council if a single Hackney Carriage (“HC”) and Private Hire (“PH”) licensing policy was not in place by day 1 of the new Council and had not adopted the Act. Due to this, a report is going before the Executive to seeking approval to adopt a HC and PH taxi licensing policy and the Act in February. If the Act is adopted, it will automatically create one ‘controlled district’ to reflect the administrative area of North Yorkshire Council from 1 April 2023. The creation of the new Council will bring together 7 licensing authorities who previously had their own Hackney Carriage Maximum Fare in place.

As part of the LGR process officers carried out a risk assessment that showed the risk factors if the Council was not to introduce one maximum HC fare from 1 April 2023.

The risks were as follows:

1. Complaints from drivers aggrieved by current different maximum fares than their colleagues in neighbouring zones in North Yorkshire.
2. Complaints from customers confused by varied fares in areas licensed by the one authority
3. Additional resources required to consider any subsequent fare increases (i.e., up to 7 separate consultations, cabinet meetings, newspaper advertisements etc.

The maximum fare proposal for Hackney Carriage Vehicles may affect those who rely on such a service, specifically those members of the public who do not wish to pre-book a journey via a Private Hire Operator. This Equality Impact Assessment is focused on the proposed draft maximum fare for the new North Yorkshire Council and not a change of policy, practices, or procedures.

**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.)

The risk assessment carried out by officers involved in the LGR process showed the risks to the Council if one maximum HC fare was not in place if the Act was adopted, and one HC zone for the whole of the North Yorkshire area created, as shown in section 1.

The aim of introducing one maximum HC Fare for the whole of the new authority area will result in:

1. A consistent maximum HC fare across the whole of the Council area. Drivers are not required to charge the maximum fare shown on the meter and are able to set their meters lower. The only requirement would be for the proprietor to adjust the taxi meter to the approved tariffs and show the approved Council fares or lower
2. Reducing the risk of confusion from customers who do not understand why there are different fares in different areas when the vehicles are licensed by the one authority.
3. Saving Officer and Councillor time to consider 7 separate maximum fares.
4. Saving the Council money by avoiding advertising 7 separate newspaper publications.

Overall, by having the one maximum fare across the whole of the North Yorkshire area will result in cost saving measures for the Council, whilst providing a consistent maximum fare across the whole of the Council area.

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

Some legacy areas within the North Yorkshire will see an increase in the approved maximum fare. All the legacy areas have increased their maximum HC fares in 2022 due to the rise in fuel at the pump.

As this is a maximum Fare, drivers are under no obligation to increase the fares they currently charge. They only need to adjust their meters to the tariffs approved by the Council. If a particular area feel that the new maximum fare proposal is too high they are able to remain at the fare they are currently charging.

### **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?)**

If the Executive approve the HC Maximum Fare proposal, a 14-day public consultation will commence. If there are no objections to the proposal the new fare will come into effect on 1 April 2023. If objections are received, these will be considered by the Executive and another Equality Risk Assessment will be carried out.

### **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.

The adoption of one maximum HC fare for the whole of the North Yorkshire area will reduce costs for the new Council. Having the one maximum HC fare will mean that only one newspaper notice will need to be published and officers will only need to consider one maximum fare when the fares require reviewing in the future.

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<b>Section 6. How will this proposal affect people with protected characteristics?</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
Age		X	X	There is potential for an increase in fares to impact disproportionately on the elderly and people with disabilities for example, some of whom rely heavily on use of taxi's to go about their everyday lives. Over time competition may result in fares going down.
Disability		X	X	There is potential for an increase in fares to impact disproportionately on the elderly and people with disabilities for example, some of whom rely heavily on use of taxi's to go about their everyday lives. Over time competition may result in fares going down.
Sex	X			The tariff would apply to everyone in the Council area.
Race	X			The tariff would apply to everyone in the Council area.
Gender reassignment	X			The tariff would apply to everyone in the Council area.
Sexual orientation	X			The tariff would apply to everyone in the Council area.
Religion or belief	X			The tariff would apply to everyone in the Council area.
Pregnancy or maternity	X			The tariff would apply to everyone in the Council area.
Marriage or civil partnership	X			The tariff would apply to everyone in the Council area.

<b>Section 7. How will this proposal affect people with the following characteristics</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
Live in a rural area	X			There is no need to charge more than the fare currently set in a particular area. Drivers will begin to compete for business so prices may go down or be consistent with fares already set in an area.

Have a low income		X		Competition in pricing should eventually drive down fares in local areas.
Carers (unpaid family or friend)	X			As above.
Health and wellbeing issues	X			As above.

<b>Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)</b>	
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
<b>If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.</b>	

<p><b>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.</b></p> <p>N/A</p>
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<p><b>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)</b></p>	<b>Tick option chosen</b>
<p><b>1. No adverse impact - no major change needed to the proposal.</b> There is no potential for discrimination or adverse impact identified.</p>	X

2. <b>Adverse impact - adjust the proposal</b> - 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.	
3. <b>Adverse impact - continue the proposal</b> - 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. <b>Actual or potential unlawful discrimination - stop and remove the proposal</b> – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
<p><b>Explanation of why option has been chosen.</b> (Include any advice given by Legal Services.)</p> <p>As each legacy area have their own maximum HC fare currently, there is no risk of discrimination by approving the draft HC Fare proposal for the new Council. There is a procedure in place if representations to the public consultation are received.</p>	

**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?)

A public consultation will take place and as stated in section 4 if representations are received, they will be considered by the Executive and another Equality Impact Assessment will be carried out.

**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.

<b>Action</b>	<b>Lead</b>	<b>By when</b>	<b>Progress</b>	<b>Monitoring arrangements</b>
Approval for consultation of the maximum HC Fare	Sharon Cousins and Gareth Bentley	March 2022	N/A	Consultation responses

**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.

The proposed fare is a maximum and drivers can (and it is hoped they do) charge the rate that is affordable for the customer whilst enabling the drivers to make a reasonable standard of living.

Some legacy areas would see a rise in the maximum fares that customers could potentially pay to use hackney carriages should the harmonised fare proposal be approved.

There is a risk that increased fares may tip the balance of affordability for some groups with protected characteristics. There is potential for an increase in fares to impact disproportionately on the elderly and people with disabilities for example, some of whom rely heavily on use of taxis to go about their everyday lives. However, it is expected that over time market forces will come into effect and prices will become more competitive.

#### **Section 14. Sign off section**

This full EIA was completed by:

**Name: Sharon Cousins**

**Job title: Licensing Manager, Selby District Council**

**Signature:** 

**Completion date: 6 December 2022**

**Authorised by relevant senior officer (signature):**

**Date:**