

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

(Form updated November 2021 – for LGR use)

Harmonisation of Hackney Carriage and Private Hire Licensing Fees

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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.

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| Name of Workstream | Licensing |
| Lead Officer and contact details | Gareth Bentley, Food, Licensing and Occupational Safety Manager, Harrogate Borough Council gareth.bentley@harrogate.gov.uk |
| Names and roles of other people involved in carrying out the EIA | Kevin Chin, Licensing Manager, Scarborough Borough Council kevin.chin@scarborough.gov.uk |
| How will you pay due regard? e.g. working group, individual officer | Hackney Carriage and Private Hire drivers and proprietors |
| 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?)

Sections 53 and 70 and of the Local Government (Miscellaneous Provisions) Act 1976 (The Act) set out the means for the local authority to recover fees for Hackney Carriage and Private Hire driver, vehicle and operator licensing.

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 licence fees in place. One set of harmonised fees will be needed for the new North Yorkshire Council.

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.

Once the HC and PH policy for North Yorkshire has been agreed it will be necessary to have one set of harmonised licence fees.

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

Some legacy local authority areas will see an increase in licence fees, some a decrease. Overall, the changes will be neutral. Any impact will be upon the licensed trade.

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 proposed licence fee proposals, a 28-day public consultation will commence. If there are no objections to the proposals the new licence fees 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.

HC and PH licensing budgets are 'ring-fenced' and must be balanced and neutral by law. The proposed fees are calculated to have no impact on Council budgets.

| 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 | | | The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |
| Disability | X | | | The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |
| Sex | X | | | The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |
| Race | X | | | The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |
| Gender reassignment | X | | | The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |
| Sexual orientation | X | | | The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |
| Religion or belief | X | | | The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |
| Pregnancy or maternity | X | | | The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |
| Marriage or civil partnership | X | | | The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |

| 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 proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |

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| Have a low income | X | | | The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |
| Carers (unpaid family or friend) | X | | | The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |
| Health and wellbeing issues | X | | | The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade. |

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| 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. | |
| All areas will be impacted equally. | |

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| 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. |
| No |

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| 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 |
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| 1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified. | X |
| 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. | |
| 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. | |
| <p>Explanation of why option has been chosen. (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.

| Action | Lead | By when | Progress | Monitoring arrangements |
|---------------------------|-------------------------------|------------|----------|-------------------------|
| Approval for consultation | Gareth Bentley and Kevin Chin | March 2022 | N/A | Consultation responses |
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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 proposals will have no adverse impacts on people with protected characteristics.

Section 14. Sign off section

This full EIA was completed by:

Name: Gareth Bentley

Job title: Food, Licensing and Occupational Safety Manager, Harrogate Borough Council

Signature: 

Completion date: 6 December 2022

Authorised by relevant senior officer (signature):

Date: