

# Equality Impact Assessment

## Introduction

An Equality Impact Assessment (EIA) is required to ensure that equality is placed at the centre of policy development and review, as well as service delivery. The purpose of this EIA is to systematically analyse the likely impact of a service, policy or proposals on different community groups, and how the needs of such groups have been taken into account in developing those proposals.

The EIA can anticipate and recommend ways to avoid any discriminatory or negative consequences for a particular group, on the grounds of any protected characteristic. It provides the opportunity to demonstrate the potential benefits for equality target groups arising from a proposed policy or project.

The need for an EIA stems from the general duty placed on public authorities to eliminate unlawful discrimination in carrying out functions, and promote equality of opportunity. This is outlined in the Equality Act 2010, with specific public sector duties in place from April 2011.

1. Name of Policy or Service (existing or proposed)	
Adoption of an Intended Use Policy	
2. Responsible Manager	
Peter Haywood	
3. Date EIA completed	Review date
21 April 2017	
4. Description and aims of policy / service (including relevance to equalities)	
<p>The Council wishes to ensure that applications for the granting of Hackney Carriage licences are determined in accordance with the aim of maintaining public safety through having roadworthy vehicles, fit and proper drivers and appropriate conditions of hire. Many licensing authorities have recently encountered problems as a result of judgements such as that set out in <u>Newcastle City Council v Berwick upon Tweed Council [2008]</u>; this confirmed that Hackney Carriage drivers licensed in one local authority could legitimately act as Private Hire drivers in a separate local authority (without that second local authority having any direct control over such drivers through the licensing regime). In conjunction with other licensing authorities, one means of combatting this issue is – through an Intended Use Policy – to oblige all holders of a Hackney Carriage driver licence issued by South Ribble to confirm their bona fide intention to ply for hire predominantly within the area of South Ribble Borough.</p>	
5. Who are the stakeholders?	
Council officers	
All Councillors including in particular the members of the Council's General Licensing Committee	

All those who have or wish to have (i) Hackney Carriage drivers or vehicle licences, or (ii) Private Hire operator and driver licences

Various teams within the Council including Legal Services and Environmental Health (incorporating Licensing)

Other Borough Councils who may have also implemented an Intended Use Policy or may wish to be consulted in respect of good practice

## 6. What outcomes do we want to achieve?

All holders of a Hackney Carriage driver licence issued by South Ribble confirming their bona fide intention to ply for hire predominantly within the area of South Ribble Borough.

## 7. How will performance be measured?

Number of holders of a Hackney Carriage driver's licence issued by South Ribble Borough Council who have confirmed their bona fide intention to ply for hire predominantly within the area of South Ribble Borough.

Number of Number of holders of a SRBC Hackney Carriage driver's licence who are unwilling to confirm their bona fide intention to ply for hire predominantly within the area of South Ribble Borough.

## 8. Brief summary of research and background data

There are 242 drivers currently licensed with the authority, of which 127 hold a Hackney Carriage Driver's licence.

## 9. Methods and outcome of consultation

No consultation has yet been undertaken. It is proposed that locally licensed drivers should be given advance warning of the proposal to introduce a distinct Intended Use Policy via the Taxi Trade Forum. This will be followed by an official 28 day consultation period when the views of the trade will be formally sought.

## 10. Results of initial screening

The following questions have been considered in order to evaluate the various equality groups:-

**Age** – *Is there any concern that these proposals could cause differential impact on the grounds of age?*

No concern.

**Disability** – *Is there any concern that these proposals could cause differential impact on the grounds of disability? Disability is recognised under the Equality Act as 'a physical or mental impairment which has a substantial and long term effect on a person's ability to carry out normal day to day activities.'*

No concern.

**Gender Reassignment** – *Is there any concern that these proposals could cause differential impact on the grounds of gender reassignment? The Equality Act recognises this where a person*

*is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for changing sex.*

No concern.

**Marriage / Civil Partnership** – *Is there any concern that these proposals could cause differential impact on the grounds of marriage or civil partnership? Under the Equality Act, no such protection exists for single or unmarried people.*

No concern.

**Pregnancy / Maternity** – *Is there any concern that these proposals could cause differential impact on the grounds of pregnancy or maternity?*

No concern.

**Race** – *Is there any concern that these proposals could cause differential impact on the grounds of race? Race is recognised under the Equality Act as a person’s skin colour, nationality or ethnic origin.*

No concern.

**Sex** – *Is there any concern that these proposals could cause differential impact on the grounds of gender? Including men, women and transgender people.*

No concern.

**Sexual Orientation** – *Is there any concern that these proposals could cause differential impact on the grounds of sexuality? Including heterosexual, gay, lesbian and bisexual people.*

No concern.

**Religion or belief** – *Is there any concern that these proposals could cause differential impact on the grounds of religion or faith? All faiths recognised in the European Convention of Human Rights are included.*

No concern.

A commentary has been provided for each policy where appropriate – see Appendix A

## **11. Links with the Council’s Safeguarding Policy (please outline any implications and actions that need to be taken)**

Safeguarding matters relating to users of licensed hackney carriage / private hire vehicles (whether disabled or not) is a prime concern for the Licensing Authority. One of the drivers behind this approach is the attempt to ensure that local authorities have local control (through the licensing regime) over drivers operating within their borders. The more local authorities which adopt an Intended Use Policy, the more that problems caused by “out of town” drivers will diminish.

## **12. Decisions and / or recommendations (including supporting rationale)**

Members are asked to consider whether they wish to ask officers to explore implementation of the proposed policy.

**13. Is an Equality Action Plan required?**

No – see commentary in Appendix A below

**Appendix A – Results of initial screening**

Policy / service	Protected Characteristics									Commentary
	Age	Disability	Gender reassignment	Marriage / civil p'ship	Pregnancy / maternity	Race	Religion or belief	Sex	Sexual Orientation	
Activation of elements of section 165 and 167 of the Equalities Act 2010 relating to wheelchair users –implications for Licensing Authorities	O	O	O	O	O	O	O	O	O	Minimal impact on the Equalities agenda.

<b>Symbol</b>	<b>Impact</b>
+	<i>Positive</i>
O	<i>Neutral / Negligible</i>
-	<i>Negative</i>
P	<i>Potential issue</i>