

Statement of licensing policy - hackney carriages, private hire vehicles, drivers and private hire operators

Evidence based equality analysis

Main aims, purpose and outcomes and how does it fit in with the wider aims of the organisation:

The aims of the policy and conditions are:

- the protection of the travelling public, including vulnerable groups.
- the provision of good access to hackney carriage and private hire services, including safety and comfort.
- to ensure that licence holders are fit and proper persons.
- consistency with current best practice promoted by the Department for Transport.

Conditions specific to drivers, vehicle proprietors and operators are an integral part of this policy and have been considered as part of this analysis.

The policy recognises the status and importance of guidance produced by Government departments. In particular, but not exclusively, this Council will take account of the Best Practice Guide produced by the Department for Transport.

Lead officer: Andy Challinor

Stakeholders: Public; licensed drivers and vehicle proprietors, members, involved via extensive consultation

Equality analysis is a valuable tool to help embed equality into everything we do
While process is important, equality analysis is essentially about outcomes.
Lack of evidence of discrimination is not evidence of a lack of discrimination.

It is not acceptable to say that a policy is applied uniformly to all groups and is therefore fair and equal. Applying a policy or procedure consistently may result in differential outcomes for different groups.

For each of the areas below, an assessment needs to be made on whether the policy has a positive, negative or neutral impact, and brief details of why this decision was made and notes of any mitigation should be included. Where the impact

is negative, this needs to be given a high, medium or low assessment. It is important to rate 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

	Neutral	Positive	Negative
Target group / area			
Race and ethnicity (including Gypsies and Travellers; migrant workers, asylum seekers etc.)		<p>A comprehensive consultation process will be undertaken, covering all existing members of the trade, between February and April 2012.</p> <p>Additional consultation will be carried out between December 2012 and March 2013 (see below)</p>	<p>The new policy has additional qualification requirements for new and existing drivers as a pre-requisite to driver licensing (new) or to be gained over time (existing). The qualification is embedded in legislation and assumes basic literacy however is not significantly beyond the types of requirements to pass a driving test. These skills are required for safe driving on the road. The Council will signpost drivers to ESOL (English for Speakers of Other Languages) provision if appropriate (medium impact)</p>

<p>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 effect on their ability to carry out normal day-to-day activities)</p>	<p>The majority of hackney carriage drivers (Chester and Ellesmere Port) have wheelchair accessible vehicles and strongly support the 100% accessible policy element. Approximately 40% of vehicle proprietors (former Vale Royal) suggest that this policy is not necessary. The policy change would result in the replacement of 90 hackney carriage vehicles over the next year many of which are currently over seven years old already. Introducing different rules for different areas both limits accessibility to hackney carriages and results in an unequal trading environment.</p>	<p>The policy supports a 100% wheelchair accessible vehicle policy for hackney carriages. This is consistent with the consultation responses from the focus groups held with disabled people (majority view), and supports increased accessibility across the fleet.</p> <p>Driver training given to new drivers highlights the need for being aware of different disabilities and offering assistance. Consideration to be given to refresher training for existing drivers.</p> <p>There is a requirement that all hackney carriages include hearing loops.</p>	<p>Medium - hearing venues are determined by the facilities available at the Council. An equality analysis is required for these venues and service correspondence changed to ensure that people invited to raise any issues at a hearing have their needs accommodated.</p> <p>100% wheelchair accessible vehicle policy may not suit all types of disability and not all accessible vehicles can accommodate all types of wheelchairs. Policy not applicable to private hire vehicles.</p> <p>It has been suggested that some wheelchair users would prefer not to use wheelchair accessible vehicles. This view has not been reflected in the consultation (other than anecdotal evidence from a Vale Royal hackney carriage driver) (medium Impact)</p>
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Gender/gender reassignment	The policy does not influence this however the driver training includes valuing equality and diversity as part of the qualification.	N/A	N/A
Religion and belief	The policy does not influence this however the driver training includes valuing equality and diversity as part of the qualification.	N/A	N/A
Sexual orientation (including heterosexual, lesbian, gay, bisexual)	The policy does not influence this however the driver training includes valuing equality and diversity as part of the qualification.	N/A	N/A
Age (children and young people aged 0 – 24, adults aged 25 – 50, younger older people aged 51 – 75/80; older older people 81+. The age categories are for illustration only as overriding consideration should be given to needs).	<p>The policy does not affect this however all drivers are subject to an enhanced Criminal Records Bureau check before issue of a licence to protect vulnerable people and children.</p> <p>Drivers must undertake a medical every six years from age 45- 64. Upon reaching 65 drivers must</p>	N/A	N/A

	undertake an annual medical. Frequencies are equal to Driving Standards Agency Group 2 standards and are based upon public/driver safety (low impact)		
Rural communities	N/A	Dependant upon full implementation of the proposed policy (outcome due April 2013) the proposal to delimit hackney carriage numbers may improve access to hackney carriages in rural areas	Dependant upon full implementation of the proposed policy (outcome due April 2013) the stricter entry requirements for drivers and vehicles may reduce availability of hackney carriages and private hire vehicles over time in the rural areas-there may be a concentration of activities in the areas of high demand Currently low impact
Areas of deprivation	N/A	The Council can regulate fares and set maximum fares if needed for hackney carriages	The policy changes may affect the availability and cost of services in deprived areas.
Human Rights	The policy is primarily determined by legislation and best practice.	N/A	N/A
Health and wellbeing	N/A	The additional consultation	N/A

(consider both the wider determinants of health such as education, housing, employment, environment, crime and transport, as well as the possible impacts on lifestyles and the effect there may be on health and care services)		contains proposals to limit pollution by way of a vehicle age policy. Health benefits derived from reduction in harmful emissions.	
Procurement/Partnership (if project due to be carried out by contractors/partners etc, identify steps taken to ensure equality compliance)	N/A	N/A	N/A

Evidence:

Please note that the evidence included embedded documents, these have been removed in order to comply with the requirements for publishing documents on our website. However, these are available on request by contacting equalities@cheshirewestandchester.gov.uk or telephone 01244 976008.

Action plan:

Actions required	Key Activity	Priority	Outcomes required	Officer responsible	Review date
Establish inclusivity at hearings and in correspondence inviting people to hearings.	Establish adaptations in Council committee rooms Include a statement in correspondence inviting people to speak at hearings to ask whether they	High	All rooms used for hearings to be capable of being adapted for hearing impaired people and people with other disabilities. Staff aware of reasonable adjustments and how to make them.	Team leader licensing	April 2014

	have any needs to assist them present their information e.g. hearing loop, accessibility etc in a similar way to that used in school appeals.				
Undertake further consultation at the next review of the policy to ensure consideration of impacts on minority groups.	Design the consultation at the review of the policy to include additional minority groups.	Medium	Greater feedback from minority groups than at consultation 2012.	Regulatory Services Manager Compliance.	At next policy review
Improve access to applicants whose first language is not English	Assistance given to applicants at college/council officers administering the courses/ exams	Medium	Improved access to applicants whose first language is not English – signposting to ESOL courses	Team leader licensing	April 2014
Review effects of 100% wheelchair accessible vehicle policy on all disability groups (non wheelchair users)	Monitor complaints from disabled groups/users Maintain regular dialogue with groups representing disabled people	Medium	100% accessible policy remains fit for purpose	Team leader licensing	April 2014
Review overall effects on policy relating to driver	Monitor vehicle and driver numbers	Medium	All areas across the borough are adequately served by hackney	Regulatory Services Manager Compliance.	2013/14 or two years

numbers and vehicle availability	Monitor complaints about service cover		carriages and private hire vehicles.		after full implementation
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Sign off	
Lead Officer:	Andrew Challinor
Approved by Head of Service:	Vanessa Griffiths
Moderation and/or Scrutiny	
Date: 25 February 2013	
Date analysis to be reviewed based on rating (high impact – review in one year, medium impact - review in two years, low impact in three years)	March 2014

Please forward the completed Equality Analysis to the Equality and Diversity Managers for publishing on the Council's website