



Equality Impact Analysis

Title of policy, function or service	Vehicle Licensing Policy 2019 - 2024
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Person completing the EIA	Jamie Mackenzie
Type of policy, function or service:	Existing (reviewed) <input type="checkbox"/> New/Proposed <input checked="" type="checkbox"/>
Version & Date	Version 1.0 29 August 2019

1. Background

Watford Borough Council (The Council) is the licensing authority for hackney carriage and private hire vehicles. Licenses are granted following application to the authority.

The Council has developed a Vehicle Licensing Policy 2019 – 2024 (The Policy) to ensure that decisions on how licences are granted are fair and consistent.

The Policy provides comprehensive information about standards expected of vehicles and information about how the authority will apply these conditions when considering applications. The Policy provides a starting point for any decision by the authority but it is important to remember that each case must be decided on its own merit.

Background

Watford is a small town geographically. There is a high level of car ownership.

There is no culture of hailing hackney carriages in the borough and most journeys will be made from a rank or as part of a pre-booking through an office or app. If a journey takes the passenger outside the borough boundary the price can be negotiated with the driver directly, which, currently, can lead to high fares.

Private hire services are traditional, mostly still being based in offices and receiving bookings through telephone calls. There is some move to using apps. There is a large presence of other app based operators not licensed by Watford Borough Council and, anecdotally, it is said that this has had significant impact on the earnings of local drivers.

App bookings are not suitable for some people. There are accessibility issues, supply issues and perceived safety issues to using those vehicles accessed by an app. It is, therefore, desirable that any decision ensures that traditional telephone/human based booking systems remain a significant way of accessing taxi and private hire vehicles.

2. Focus of the Equality Impact Analysis

This Equality Impact Analysis is focussed on any potential impact of The Policy upon new and existing licence holders, potential passengers, residents and visitors to Watford.

3. Engagement and consultation

Prior to the draft Policy consultation, a number of engagement activities took place to offer guidance and help shape the proposed policy.

This included a public survey open between 21 November 2018 and 31 March 2019, and a public open day on 3 and 4 July 2019.

In total 120 people engaged with these activities. 32 members of the public and 88 from the licensed trade.

Following these engagement activities a draft policy was written.

A full public consultation on the draft policy took place between 26 July 2019 and 1 October 2019

This included:

- placing the information about the consultation on the Watford Borough Council website
- sending text messages to each current licence holder informing them of the consultation and the need to respond
- the creation of a survey to assist in responses
- emailing all current private hire operators and the Chair and Vice-Chair of the Watford Hackney Carriage Association
- notification through the council Communications team to various publication including the local newspaper
- directly notifying a number of local organisations and authorities, including licensing authorities, national charities, disability advocacy groups and trade publications.

A number of visits were made by officers to ranks and private hire booking offices. A further public open day took place at the Town Hall on 12 September 2019.

An Equality Impact Assessment was conducted for this public consultation.

A summary document was created on request of Disability Watford to assist in the consultation process.

In total 236 people engaged with the public consultation online with a further 17 visiting the public open day.

4. What we know about Watford hackney carriage and private hire vehicle licence proprietors.

The general population of Watford comprises approximately 19% residents of Asian or mixed Asian ethnic background (as shown in the Census 2011). Of these, 7% were Pakistani (we know anecdotally that the vast majority – around 90% - are likely to be from a Kashmiri background). The ethnicity of proprietors (vehicle licence owners) matches that of drivers and operators. There are 434 vehicle proprietors in Watford, all but one are male (there are approx. 12 owned by companies but these companies are predominantly male owned). There are 162 PH vehicles, approximately 111 owned by a person of Asian ethnicity and 272 hackney carriages, approximately 268 owned by a person of Asian ethnicity. The total number of vehicle owned by an Asian male is therefore 87%. However, this is not the full picture. If hackney carriages, traditionally the preserve of the truly self-employed single owned operator, are taken alone the figure is approx. 98%. For private hire vehicles the figure drops to 68% - still a significant majority.

Whilst applications for a hackney carriage or private hire vehicle licence are open to everyone, it can be shown that the majority of proprietors in Watford are Asian male and it is, therefore, very likely

that any change to a taxi or private hire policy would disproportionately impact this demographic of the local population.

5. What we know about passengers, residents and visitors to Watford

Nationally, we know that people with a disability and older people, as well as those under 17 are less likely to drive than the population overall. Watford has a quite significantly younger population than Hertfordshire as a whole but is still faced with an ageing population.

Those who report ill health and who are limited in mobility is marginally lower than the UK average

In context, the 2011 census reports that 5,500 people reported day to day activities being limited a lot by health and disability issues. Almost 7,000 residents reported day to day activities being limited a bit. It seems reasonable that 2019 figures will be somewhere around 6,500.

We know that a 2015 survey by Disability Watford, a local pan-disability advocacy group, returned a response that almost 60% of respondents said they experienced issues accessing local transport, including taxi and private hire services.

We know that some respondents have expressed reluctance to use app based booking systems and still regularly use a taxi rank or telephone a private hire office.

We know that there is no single vehicle type that suits all passengers. Some may wish to sit down into a saloon vehicle, finding the step up in to an MPV or wheelchair accessible vehicle too high. Others may need to travel sitting in a wheelchair and therefore require a purpose built wheelchair accessible vehicle. Others may travel with a significant amount of luggage and require the use of an MPV or estate vehicle.

6. What we know from the consultation feedback?

From the online survey

Of the 236 people who completed the survey:

Sex

There was a significantly higher percentage return from males than females than in the Watford population as a whole.

Male 60%

Female 40%

This is not a surprising finding given the high percentage of taxi drivers who are male and who are likely to have responded to the survey.

Health and disability

The majority of respondents were in good health and not experiencing any long or short term disability related issues

No ill health or disability 84%

Activities limited a little by ill health or disability 14%

Activities limited a lot by ill health or disability 2%

Ethnicity

The following responses were received, although the number who chose to answer this question was significantly lower than those that took the survey (75 in total)

White British	79%
Pakistani	5%
Indian	4%
Kashmiri	4%
Any other white background	3%
Bangladeshi	1%
Any other background	3%

Age

20-24 years	3%
25-34 years	11%
35-44 years	32%
45-54 years	23%
55-64 years	19%
65-74 years	9%
75 years +	3%

7. How will the council ensure equality is promoted through the introduction of this policy?

Watford BC is committed to championing equality and embracing diversity across the full range of our services, whether we deliver the service ourselves or through partnership. This also extends to our role as an employer.

To ensure the Policy promotes equality Watford BC has pro-actively sought the views of all stakeholders. The final policy proposal presented to the licensing committee on 21 October 2019 has taken in to account these views and where amendments were made to the policy following consultation, these are listed clearly in the committee report for consideration by councillors.

The Council must ensure that any new policy allows for the taxi and private hire trades to continue to offer a local service with varied methods of hire (rank, office, app) and that vehicles are suitable to carry a range of passengers with varying needs.

The Council must ensure that any new policy allows for independent businesses to survive and to grow to support the local community and Watford as a town.

Under the Equality Act 2010, three areas need to be considered when analysing the equality impact of the Corporate Plan:

1. **eliminate** discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
2. **advance** equality of opportunity between people who share a relevant protected characteristic and people who do not share it
3. **foster** good relations between people who share a relevant protected characteristic and people who do not

A. Positive impacts

- By ensuring the input from the various consultations has been comprehensive the Council is ensuring that opportunities for all those with protected characteristics are advanced in terms of influencing the development of a policy that directly impacts a person's ability to access local transport and to get out and about in Watford and beyond.
- We know that many people who use hackney carriages and private hire vehicles do so because they are unable to drive or do not own a car. This applies to those under the age of 17 but we also know people with disabilities are less likely to drive and own a car than people without a disability. This is also true as people get older and may not be able to drive due to age related infirmities or lower incomes. The new policy aims to increase the availability of new wheelchair accessible vehicles and aims to improve the visibility of hackney carriages by introducing a livery, thereby supporting the visually impaired.
- We know that many people use taxis or private hire vehicles to travel for safety reasons and that for many vulnerable people, a taxi or private hire vehicle is not only the safest way to travel, it is also the most comfortable. We know that many people prefer the safety of travelling in a private car over and above travelling on other public transport. Any improvement in safety should therefore positively impact on any person who travels with these concerns in mind.
- Through consultation on this policy we have made sure that any additional safeguards have been considered and, where appropriate, added, prior to consideration by the Licensing Committee. This will make it less likely that users of hackney carriages, private hire vehicles, drivers of both and private hire operators will be victims of crime or of other behaviours which could include harassment, discrimination or victimisation. This has a positive impact on all those with protected characteristics but particularly those with additional vulnerabilities.
- In developing this policy the borough's existing proprietors and operators can be confident that they are fully engaged in decisions that impact them. This will have a positive impact on the reputation of the trade and help enhance good community relations.

- The enhancement of the trade and the setting of good, fair regulations should encourage investment in to the trade and to Watford, further enhancing the reputation of the town and the trade and ensuring that residents and visitors feel safe using local services.
- The proposal to licence new hackney carriage vehicles over and above the current limit of 272 is restricted to wheelchair accessible vehicles. It is hoped this would encourage the up-take of such vehicles.

B. Negative impacts

- There is likely to be a negative impact on those proprietors who cannot afford to upgrade older vehicles. As we know the majority of drivers are males and from our Kashmiri /Pakistani community, these groups will be more negatively impacted than others.
- If there is a loss in vehicles across the borough, there could be negative impacts on those who use taxi and private hire vehicles such as younger, older and a loss of available vehicles could impact more generally on residents and visitors ability to travel within the town.
- Placing restrictions on vehicle type, age and design may limit competition and restrict the ability of any person to enter the trade for the first time. It is not clear what age profile exactly this will impact but it is likely to be younger drivers.
- There are currently 45 wheelchair accessible vehicles in Watford (designated on a section 167 list). If the policy proposal not to re-licence vehicles older than Jan 2006 is approved, 21 of these vehicles will not be re-licensed after April 2020 (the current licence may expire later than this but will not be renewed). 45 vehicles is a 10% of the current licensed fleet. This reduction would leave on 5% of vehicle wheelchair accessible.

6. Overall conclusion

Improvements to standards will inevitably lead to negative impact on some already in the trade or those thinking of entering the trade if they do not have sufficient resource to upgrade or purchase complaint vehicles.

Any decision must weigh any impact, particularly the impact on the large proportion of proprietors from an Asian ethnic background, against the desired outcomes of improved accessibility, safety and health.

Appendix 8

A large amount of data was collected on the views of the public and stakeholders and this has been used to formulate a policy that provides flexibility for business owners and improvements for the town, especially improvements aimed at reducing inequality.

Overall, this EIA concludes that, whilst negative impacts have been identified, the positive impacts identified mean that the Policy, overall, is positive for the Watford community and for visitors to the town. This is because the Policy seeks to improve the quality of the taxi and private hire offer in Watford, making it safer, with better trained drivers in less polluting vehicles. The council recognises that the negative impacts will be difficult for some drivers in terms of age and ethnicity and will work with them to mitigate them as far as possible.

Summary of potential positive and negative impacts on protected characteristics

Protected Characteristic	Positive	Negative	None	Reasons for decision
Age	X	X		<p>The new policy takes in to account the needs of an aging population by providing the framework within which a successful and varied local service can operate.</p> <p>The policy aims to reduce pollution and to improve the air quality in Watford which will benefit all but particularly the very young and the elderly.</p> <p>The policy aims to make using a taxi or private hire a safer experience and, as those who use taxis tend to be younger and older, there will be positive impacts for these groups.</p> <p>There may be negative age related impacts in terms of implementing the policy – linked to the requirements around new vehicles.</p>
Disability	X	X		<p>The new policy aims to increase the availability of new wheelchair accessible vehicles.</p> <p>The new policy aims to improve the visibility of hackney carriages by introducing a livery, thereby supporting the visually impaired.</p> <p>The new policy aims to ensure proprietors must offer receipts to customers to assist in identifying drivers who have provided poor service.</p> <p>The new policy, if passed without amendment, may reduce the immediate availability of wheelchair accessible vehicles as many of these are the oldest on the fleet and would not be relicensed after April 2020 (or the date upon which the current licence expires if later than April 2020).</p>
Ethnicity	X	X		<p>The new policy aims to improve the overall standard of the taxi and private hire provision in Watford which should reflect well on the trade and those involved with the trade.</p>

Appendix 8

Protected Characteristic	Positive	Negative	None	Reasons for decision
				The new policy, if passed, will restrict vehicle choice and require expenditure on behalf of the current proprietors which in some cases could be significant. The vast majority of people affected by the policy requirements in the taxi trade are of Pakistani/Kashmiri ethnicity.
Sex	X	X		The overwhelming majority of proprietors are male and so the same impact as above would apply here also. A safer, more accessible and easily identifiable service is likely to positively impact female customers
Sexual orientation			X	There is no specific positive or negative impact on sex discrimination other than an improvement in quality and therefore possibly perceived safety.
Religion			X	There is no specific positive or negative impact on sex discrimination other than an improvement in quality and therefore possibly perceived safety.
Pregnancy/maternity			X	There is no specific positive or negative impact on pregnancy / maternity other than an improvement in quality and therefore possibly perceived safety.
Gender orientation			X	There is no specific positive or negative impact on sex discrimination other than an improvement in quality and therefore possibly perceived safety.

Summary of potential positive impacts and ways in which they can be ensured

Positive Impact	Protected characteristics	Ways to ensure the positive impact
<p>General increase in reputation of local trade</p> <p>Improvements in vehicle standards</p> <p>Increase in visibility and therefore business and reputation</p> <p>Increase in number of wheelchair accessible hackney carriages</p>	All	Introduction of the new policy

Summary of potential negative impacts and ways in which they can be removed or mitigated

Negative Impact	Protected characteristics	Ways to mitigate the negative impact
<p>Cost of any changes to vehicle requirements to be borne by existing proprietors</p> <p>Changes may deter new proprietors from licensing vehicles.</p> <p>Potential initial reduction in availability of wheelchair accessible vehicles</p>	<p>Ethnicity/sex</p> <p>All</p> <p>Disability</p>	<p>Amend timescales for introduction of some requirements (such as euro 5/6 vehicle emissions standards).</p> <p>Explore possibility of vehicle purchase and lease programs supported by the council, particularly wheelchair accessible vehicles in the first instance.</p>

This EIA has been approved by:

Justine Hoy, Head of Community Protection Date 10th October 2019