



Equality Impact Analysis

Title of policy, function or service	Hackney Carriage and Private Hire Licensing Policy 2021 - 2026
Lead officer	Jamie Mackenzie
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 09 December 2020

1. Background

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

The Council has developed a Hackney Carriage and Private Hire Licensing Policy (The Policy) to ensure that applications for licences, and decisions on how licences are granted, are clearly communicated to applicants, fair and consistent, and that standards are applied to ensure the highest levels of safety.

The Policy provides comprehensive information about standards expected of drivers, vehicles and operators, and information about how the authority will deal with applications and apply 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.

2. Focus of the Equality Impact Analysis

This Equality Impact Analysis is focussed on any potential impact of the consultation period of The Policy.

3. Engagement and consultation

A full public consultation on the draft policy is planned between 18 January 2021 and 12 March 2021

This will include:

- 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 Drivers Association
- notification through the council Communications team to various publication including the local newspaper
- directly notifying a number of local and national organisations and authorities, including licensing authorities, national charities, disability advocacy groups and trade publications.

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

There are approximately 470 licensed drivers, 350 licensed vehicle owners and 14 licensed operators in Watford, approximately 90% of whom are of Asian ethnic background. The general population of Watford comprises approximately 18% Asian ethnic background and although we cannot be more specific on ethnicities the Census of 2011 showed that Pakistani was the highest Asian ethnic background in Watford. Whilst applications for a hackney carriage or private hire driver or vehicle licence or a private hire operator licence are open to everyone, the majority of drivers, vehicle proprietors and operators in Watford are Asian male and it is, therefore, likely that any change to a taxi or private hire policy would disproportionately impact this demographic of the local population.

6. What we know about other respondents to consultation

Watford has a quite significantly younger population than Hertfordshire as a whole.

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 5500 people reported day to day activities being limited a lot by health and disability issues. Almost 7000 residents reported day to day activities being limited a bit. It seems reasonable that 2021 figures will be somewhere around 6,500 - 7000.

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.

We know from responses to the Vehicle Licensing Policy consultations, and further survey concerning the Taxi and Private Hire Strategy and the Rank Review, that drivers and owners of hackney Carriages are impacted severely by other out-of-borough licensed operators picking up and dropping off in Watford and a reduction in rank usage partially due to the pandemic caused by COVID-19.

5. How will the council ensure equality is promoted during the consultation period?

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

To assist in gathering responses from people with a broad range of protected characteristics the licensing team will actively seek to notify and engage

There are a number of people with protected characteristics which could be impacted by

the introduction of a new policy and it is essential that all views are represented in the final policy presented to Licensing Committee in March 2021.

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

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 this consultation is 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 run a business, provide a transport service or to access that local transport service to get out and about in Watford and beyond.
- We know that many people who provide hackney carriage and private hire services do so because they wish to run their own business, to have flexibility in work in order to fulfil other wishes or duties, including caring for family and because it is a way to access work without formal qualifications.
- We know that many people who use hackney carriages and private hire vehicle services do so because they are unable to drive or do not own a car. This would apply 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 and this is also true as people get older and may not be able to drive due to age related infirmities or lower incomes. We know that many people prefer the safety of travelling in a private car over and above travelling on other public transport.
- Through consultation on this policy we can make sure that any additional safeguards can be added prior to consideration by the Licensing Committee, and that 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 would, again, have a positive impact on all those with protected characteristics but particularly those with

additional vulnerabilities.

- The borough's existing proprietors and operators can be confident that they are fully engaged in decisions that impact them directly. They can make suggestions for changes to the proposed policy before adoption. This will have a positive impact on the reputation of the trade and help enhance good community relations.

B. Negative impacts

There should be no negative impact to ensuring a comprehensive consultation is conducted.

A separate equality impact analysis will be completed following the consultation and prior to the policy appearing before the Licensing Committee and any decision on adoption being made.

6. Overall conclusion

Overall we can be confident that the consultation period is sufficient to ensure that responses can be received from all stakeholders and interested parties, including those who may need longer to read, process and respond to the information.

All responses will be considered and the information used to inform the final policy to be considered by the Licensing Committee.

Summary of potential positive and negative impacts on protected characteristics

Protected Characteristic	Positive	Negative	None	Reasons for decision
Age	X			<p>The length of time of the consultation and the work to ensure ease of access to submitting a response will ensure that those who may need longer to respond, or who may not have access to technology in order to respond quickly by electronic means will have the chance to give their views. We will contact charities representing the views of older people directly.</p> <p>We will contact colleges and schools where it is likely that children may be travelling in taxis and we will contact Hertfordshire County Council who are responsible for organising travel to schools on behalf of many families.</p>
Disability	X			We will contact a number of local and national charities to seek feedback on the proposed policy.
Ethnicity	X	X		<p>As many drivers come from an ethnic background the policy may disproportionately impact upon them.</p> <p>We will engage will trade leaders, associations, media and by way of online surveys in order to gather the views of the trade as comprehensively as possible.</p> <p>Additional conditions or restrictions could reduce or remove the ability of some current licence holders to continue as licence holders.</p>
Sex			X	There is no specific positive or negative impact on sex discrimination as all responses will be given equal weight.
Sexual orientation			X	There is no specific positive or negative impact on sexual orientation as all

Protected Characteristic	Positive	Negative	None	Reasons for decision
				responses will be given equal weight.
Religion			X	There is no specific positive or negative impact on religion as all responses will be given equal weight.
Pregnancy/maternity			X	There is no specific positive or negative impact on pregnancy/maternity as all responses will be given equal weight.
Gender orientation			X	There is no specific positive or negative impact on gender orientation as all responses will be given equal weight.

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

Positive Impact	Protected characteristics	Ways to ensure the positive impact
General increase in reputation of local trade Increased business for local service providers Better access to transport services	All Ethnicity Age, Disability, Sex	Introduce all recommendations in the draft 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
Perception that taxi drivers are a risk Loss of licence where current holder is no longer considered fit and proper by virtue of the policy	Ethnicity/sex Ethnicity	Introduce all recommendations in the draft policy Apply policy on a case by case basis to ensure decisions are fairly applied

This EIA has been approved by:

Justine Hoy

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