



Equality Impact Analysis

Title of policy, function or service	Vehicle Licensing Policy 2021 - 2026
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Person completing the EIA	Austen Young
Type of policy, function or service:	Existing (reviewed) <input type="checkbox"/> New/Proposed <input checked="" type="checkbox"/>
Version & Date	Version 2.0 10 January 2023

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 2021-2026 (The Policy) to ensure that applications for licences, and decisions on how licences are granted, are clearly communicated to applicants and the wider public, and are fair and consistent.

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.

This policy is undergoing a review to consider if card and contactless payment methods should be available at all times in vehicles, and to confirm the council's approach to requiring medical assessments from drivers.

The council was approached by the taxi and private hire trade with a request to make it compulsory for all licensed vehicles to accept card and contactless payments. The previous policy did not prohibit contactless payments but did not make it mandatory either. There was a suggestion that some drivers were refusing jobs due to not having card machines available, or they were not working, particularly for short local jobs which is illegal and risks creating a negative perception of Watford drivers. Making it mandatory to offer contactless payment requires a change in policy.

In consulting on the change to contactless payments, the council also consulted on clarifying its position on driver medicals. It is appropriate that the council takes this action in order to clearly state which is expected of licence holders and applicants. The council currently requires satisfactory medicals from drivers on first application, every 5 years from the age of 55 to 70 (inclusive), and every year after the age of 70, but the wording in the policy only states that medicals must meet the DVLA Group 2 standards. The consultation offered the option of maintaining the current position or to formally adopt the approach as stated in the Department for Transport's (DfT) Taxi and Private Hire Vehicle Licensing: Best Practice Guidance of requiring medicals from drivers on first application, every 5 years from the age of 45 to 65 (inclusive), and every year after the age of 65.

Background

Watford is a small town geographically. There is a high level of car ownership. Watford does have an active taxi and private hire trade, which supports a range of users, including those without a private vehicle, unable to drive or who choose to use a taxi or private hire in preference to their own car.

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, by telephone, website or a

smartphone app. If a journey takes the passenger outside the borough boundary the price can be negotiated with the driver directly, which 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 movement to using websites and apps and this shift has accelerated over the past two to three years. 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. One of the appeals of app based bookings is that it means customers do not need to carry cash to pay for the hire.

There are currently (as of 12/12/2022) 214 licensed hackney carriages, 134 Private Hire Vehicle Licences, 318 dual driver licences, 130 Private Hire driver licences and 19 Private Hire Operator licence holders.

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 being put before the Licensing Committee, the proposals underwent consultation. There were two proposals to consider:

- Whether drivers should be required to accept contactless payments
- The arrangements for driver medicals

This consultation took the form of a public survey which was open between 1 November and 30 November 2022. The survey was advertised on the council's website via its news and taxi licensing pages, and also by press release through the Watford Observer, which included publication on their website and in the physical print edition. Drivers were also messaged directly notifying them that the survey was open

In total 226 people engaged with the public consultation online.

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

What we know about the taxi / private hire trade in Watford

There are 348 vehicle proprietors in Watford, with 23 proprietors being companies. Specific information on the sex or ethnicity of drivers is not routinely collected nor requested by the licensing authority. Of the 325 proprietors who are individuals, the vast majority are male. Of the 134 licensed private hire vehicles, just over half are owned by a person who is not of white ethnicity. Of the 214 licensed hackney carriage vehicles, the vast majority are owned by a person who is not of white ethnicity.

Whilst applications for a hackney carriage or private hire vehicle licence are open to everyone, it can be shown that the significant majority of proprietors in Watford are male. Whilst the data collected on ethnicity for taxi and private hire drivers does not specifically ask for details of ethnicity, regular interactions with the taxi trade, indicate that a majority are from Watford's Pakistani and Kashmiri communities. 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

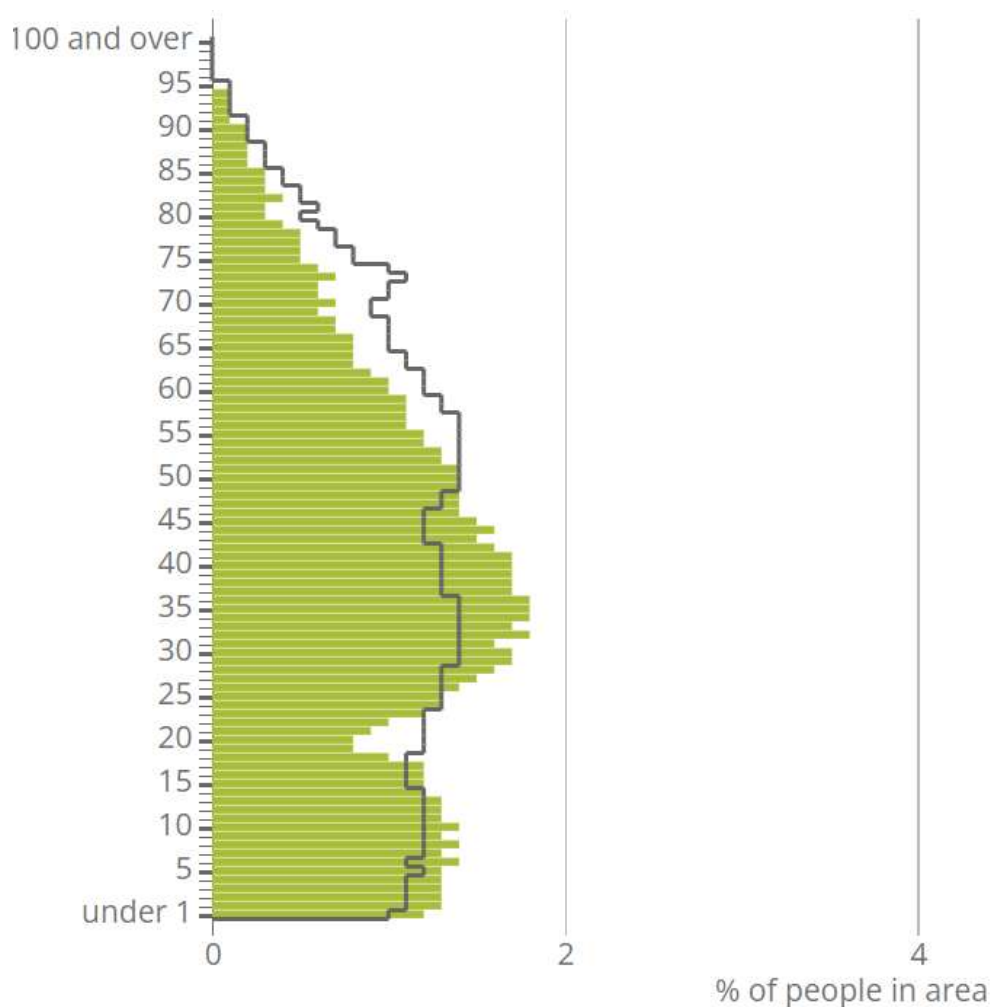
What we know about the Watford population

Population and age

The population of Watford comprises 102,000 residents.

Watford is a town with a growing population. The census data 2021 indicates that Watford has a population of 102,300, an increase of 13.3% since the previous census in 2011. This is higher than the overall increase for England (6.6%), where the population grew by nearly 3.5 million to 56,489,800

The chart below shows Watford’s age ranges between 0 – 100 and over in percentage of the population (green) compared with the England / Wales percentages (black line).



Ethnicity data:

- 48.4% identify as White British, White Irish, White Gypsy or Irish Traveller or White Roma
- 12.6% identify as Other White
- 8.0% identify as Pakistani

- 9.7% identify as Indian
- 0.5% identify as Bangladeshi
- 1.4% identify as White and Asian
- 5.3% identify as Other Asian
- 3.9% identify as African
- 1.7% identify as Caribbean
- 1.3% identify as White and Black Caribbean
- 0.7% identify as White and Black African
- 0.8% identify as Other Black
- 1.4% w identify as Other Mixed or Multiple ethnic groups
- 1.0% identify as Chinese
- 0.7% identify as Arab
- 2.8% identify as other ethnic group

Sex

- 50.8% of the Watford population are female

Disability/Health

The health and disability data from Census 2021 is not available until later in January 2023.

Sexual orientation and gender reassignment

Watford has no specific data on the transgender community within the borough or for the sexual orientation of its community. The information on sexual orientation is due to be released later in January 2023

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, and England, as a whole but is still faced with an ageing population.

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 such as pushchairs and require the use of an MPV or estate vehicle.

6. What we know from the consultation feedback?

From the online survey

Of the 226 people who completed the survey:

Sex

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

Male	54.05%
Female	44.14%
Non-binary	1.35%
Other term	0.45%

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 not experiencing any long or short term disability related issues

No ill health or disability	84.40%
Activities limited a little by ill health or disability	11.01%
Activities limited a lot by ill health or disability	4.59%

Ethnicity (a summary of responses selected by 4 or more people)

English/Welsh/Scottish/Northern Irish/British	57.08%
Pakistani	11.87%
Indian	5.94%
Kashmiri	5.94%
Caribbean	1.83%
White & Asian	1.83%
Other ethnic group	7.76%

Age (222 answered, 4 skipped)

20-24 years	1.8%
25-34 years	13.5%
35-44 years	32.4%
45-54 years	27.5%
55-64 years	13.5%
65-74 years	8.6%
75 years +	2.7%

Contactless payment proposal

The responses received for the payment proposal were as follows:

APPENDIX 3

ANSWER CHOICES	RESPONSES
Hackney carriages (taxis) and private hire vehicles should provide a means of paying for fares by card or a contactless method at all times	77.68% 174
Hackney carriages (taxis) only should provide a means of paying for fares by card or a contactless method at all times	5.36% 12
Private hire vehicles only should provide a means of paying for fares by card or a contactless method at all times	1.34% 3
There should not be a requirement for Hackney carriages (taxis) or private hire vehicles to provide a means of paying for fares by card or a contactless method at all times	15.63% 35
TOTAL	224

Medical requirement proposal

ANSWER CHOICES	RESPONSES
Licensed drivers must submit a satisfactory medical upon first application and then submit satisfactory medicals every 5 years from the age of 55, then every year from the age of 70	40.47% 37
Licensed drivers must submit a satisfactory medical upon first application and then submit satisfactory medicals every 5 years from the age of 45, then every year from the age of 65	47.44% 102
Licensed drivers must submit satisfactory medicals at a different frequency (please specify)	12.09% 26
TOTAL	215

A number of alternative suggestions were submitted in respect of the frequency of medicals as can be seen through the consultation responses. The summary of the responses is that there was no clear preference for one specific alternative approach or any other approach which required further consideration.

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 12 January 2023 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 policy proposal is extending this variety to allow different methods of payment.

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 payment methods and does not set a limit on payment methods because this could adversely impact the ability of passengers with mobility issues from travelling, as they may be more willing to take shorter journeys. The most popular consultation responses was that hackney carriages (taxis) and private hire vehicles should both provide a means of paying for fares by card or a contactless method at all times rather than only requiring one particular licence to install payment devices.
- 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. The requirement to adopt standards for drivers with regards to regular medical testing is in accordance with Government Best Practice Guidance and is widely recognised as promoting public safety and confidence in taxi services.
- 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.

B. Negative impacts

- There is likely to be a negative impact on vehicle proprietors in terms of purchasing payment devices and signing up to payment platforms, as well as possible increased demand for medicals from drivers over the previous policy. As we know the majority of drivers are males and from our Kashmiri /Pakistani communities, these groups will be more negatively impacted than others.
- The proposal for driver medicals includes making it mandatory for drivers over the age of 65 to undertake a medical every year. This obviously has a specific impact on drivers who are aged 65 and over and who would be required by such a policy to pay for a medical each year. This particular requirement is obviously targeted towards people of a particular age range, but it is taken in accordance with Government guidance.
- Requiring card or contactless payment methods may be misconstrued as meaning that drivers can only accept these payment methods and can no longer accept cash. For clarity, the policy does not prohibit drivers from accepting cash payments.

6. Overall conclusion

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 more varied for passengers and safer, with increased confidence in the taxi and private hire trade. It is recognised that the requirement for driver medicals will adversely affect drivers based upon their age, but this does follow the Department for Transport's; Taxi and Private Hire Vehicle Licensing Best Practice Guidance and is recommended as being best practice for licensing authorities to follow.

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 meet

those standards. The council recognises that the negative impacts will be difficult for some drivers and will work with them to mitigate them as far as possible.

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

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 increasing passengers' ability to pay for journeys and not be refused because there is no payment device available. The request for vehicles to accept card and contactless payments originally came from the taxi and private hire trade because it was alleged that drivers were refusing certain jobs by claiming that they did not have a payment device available.

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This EIA has been approved by: Kathryn Robson, Director of Performance