

**EQUALITY IMPACT ASSESSMENT  
(EIA)**

Please ensure that you read the EIA Framework  
before completing this pro-forma.

Date  
Started: 1/12/08

Service Group/Team: LEGAL

Lead Officer(s): SIAN WALTER-BROWNE

Name of policy, procedure or practice: HACKNEY CARRIAGE AND PRIVATE HIRE (TAXI) POLICY  
(Written or unwritten)

Who is responsible for it and who implements it? AT CORPORATE LEVEL THE COUNCIL'S LICENSING COMMITTEE AND ITS LICENSING (GENERAL PURPOSES) SUB-COMMITTEE. IMPLEMENTATION BY HEAD OF LEGAL SERVICES AND MONITORING OFFICER/ASSISTANT HEAD OF LEGAL SERVICES (ADMINISTRATION) /LICENSING TEAM

**Stage 1. Setting Terms of Reference.**

For advice refer to **Stage 1.1** of the EIA guidance

- **What are the broad aim(s) or objective(s) of the policy, procedure or practice?**
  - To regulate and control specific licensable activities
  - To provide an effective enforcement regime to ensure compliance with licence conditions and general operational issues
  - To meeting statutory licensing requirements
  - To protect the travelling public from harm
  
- **What outcomes do you want to achieve/what does "success" look like?**
  - The provision of a safe travelling environment for users of licensed taxis
  - Reducing the number of complaints concerning licensable activities coming within the purview of the policy
  - Effective Control of licensable activities within the District
  - Adopting a maximum fare tariff which is acceptable to the trade and users of the service in the light of current economic conditions

## 1.2 Research

Please refer to **stages 1.2, 1.3 and 1.3** of the EIA guidance:

Once you have established the aims and objectives of the policy, procedure or practice under assessment you need to find out how the policy, procedure or practice is likely to affect any particular stakeholder groups, assessing impact. Therefore, you need to:

- Know who your stakeholders are and what their needs are likely to be
- Know what effect your policy, procedure or practice is likely to have on them.

You should:

- Question your current view and ensure that it is supported by evidence. Do you need further information?
- Research what information (quantitative and qualitative) is available that will enable you to make a sound and fair judgement.
- Consider whether you need to carry out a consultation exercise with stakeholders to gain the necessary information. If so, can you do this in partnership with another team/service area/local authority?

A good starting point is to analyse the information you collect internally through the monitoring of existing policies, procedures or practices. If assessing a new policy, procedure or practice, to indicate likely impact, you may be able to use data collected for something similar.

- **If possible, how do you monitor the impact of the policy, procedure or practice? If it is not possible please briefly explain why.**

Regular enforcement and inspections including "out of office hours" work. Liaison and consultations with stakeholders such as taxi drivers, other public authorities, specialist organisations and the public on key issues and policy reviews.

Investigation of complaints from the public and other taxi drivers/companies.

Serious breaches of licensing conditions are referred to Members for consideration.

- **If you have a monitoring system in place how do you monitor the impact that it has on different stakeholder groups? If you do not monitor the impact on different stakeholder groups is there a justifiable reason for this?**

No formal monitoring of impact on different stakeholder groups is undertaken. Each issue raised will be dealt with on its own merits and not on ethnic, age, health or other special grounds.

**Please Note:** It is a statutory requirement of the Race Relations Amendment Act 2000 to monitor employment and service delivery according to ethnicity, where possible. You should have identified monitoring arrangements in your Race Equality Scheme Action Plan.

1.2 Research Continued:

Please list below all of the data/information you have used to inform your impact assessment, including source & reference E.g

*Equal Opportunities Policy, Complaints/feedback or evaluation forms*

*Recruitment & Selection Policy*

*National Census Ethnicity Data, Workforce Information Digest*

Recruitment Monitoring Statistics, Recruitment Data

- Office for National Statistics – Ethnicity, General Health, Age, Distance Travelled to Work, Method of Travel to Work and Population Density Data
- Disability Discrimination Act
- TDC Race Equality Scheme
- TDC Equality and Diversity Policy
- Consultation with special needs user groups (Direct)
- Consultation with other Essex Licensing Authorities
- Feedback from ethnicity questionnaire sent to all new applicants for licences
- Consultations via the “Taxi News” newsletter issued to all licensed taxi drivers in the District
- Carriage of Assistance Dogs in Taxis Policy – 2001.

**Stage 2 – Impact Assessment –**

You should have used your research to find out whether any stakeholder groups are likely to receive unjustifiable and/or adverse differential treatment, based on their specific needs/requirements and the way that the policy, procedure or practice is currently delivered. Please record these groups, indicate what their specific needs/requirements are in relation to the policy, procedure or practice and the likely impact in the table below. (You may need to extend the table)

If the policy, procedure or practice is not likely to have a specific impact on a particular stakeholder group, according to their needs or requirements, then you do not need to record that on the grid below but you need to be able to justify why, should you be challenged.

<b>Stake Holder Group</b>	<b>Specific Needs/Requirements in relation to The Policy, Procedure or Practice</b>	<b>Likely impact of Policy, Procedure or Practice</b>
Ethnic Minority Groups and persons unable to speak English.	Difficulty understanding complexities of Taxi Licensing System especially where English is either not spoken or is not the first language.	Group may be disadvantaged by not being able to fully access some or all services. However neither staff or stakeholder groups have fed back evidence of adverse impact as a result of current procedures. Services of an interpreter may be considered in appropriate cases. Under the circumstances likely impact is considered to be minimal.
Elderly	Possible difficulties in reading small print documents e.g. fare tariff in taxis, identifying taxis if partially sighted and understanding complex procedures.	Minimal. Advice and assistance readily available from staff by phone, e-mail, Council's Website or general correspondence. Home visits could be arranged in exceptional cases. All new taxi drivers are required to view a DVD on how to deal with people with some form of disability. However feedback from a limited number of user groups has suggested that the elderly and partially sighted might have difficulty identifying taxis if full vehicle third party advertising was allowed within the Hackney Carriage/Private Hire Policy. For this reason the Licensing Committee were recommended not to allow third party advertising on taxis within the policy when this issue was discussed at their meeting on 11 February 2009.

<b>Stake Holder Group</b>	<b>Specific Needs/Requirements in relation to The Policy, Procedure or Practice</b>	<b>Likely impact of Policy, Procedure or Practice</b>
Sick/Disabled	Possible difficulties in calling at Council Offices or making phone enquiries.	Minimal. Advice and assistance readily available from staff by phone, e-mail, Council's Website or general correspondence. Home visits could be arranged in exceptional circumstances. All new taxi drivers are required to view a DVD on how to deal with people with some form of disability. However feedback from a limited number of user groups has suggested that the elderly and partially sighted might have difficulty identifying taxis if full vehicle third party advertising was allowed within the Hackney Carriage/Private Hire Policy. For this reason the Licensing Committee were recommended not to allow third party advertising on taxis within the policy when this issue was discussed at their meeting on 11 February 2009.

**Stage 2.2. Has your research revealed whether you need to amend the policy, procedure or practice in any way? For advice refer to stage 2.2 of the framework.**

- If you have decided not to take any action then you must explain why below.
- **Based on any likely justifiable an/or adverse differential treatment you have identified you should have drawn up proposals to overcome the unjustifiable and/or adverse treatment:**
  - Depending on the scope of your assessment you may be able to record the main body of your proposal(s) below.
  - If you have developed an action plan you should summarise its key points and provide reference to it and where it is located below.
  - If you have produced a report then you should summarise its findings and include reference to where it is located below.

You should have consulted on your proposals with relevant stakeholder groups, incorporating their feedback as necessary, according to **stages 3 & 4** of the EIA guidance. You should summarise your consultation on the next section of this form.

No action to be taken for the following reasons:-

1. Advice and assistance for the trade and taxi users is readily available from staff. The services of an interpreter could be engaged in exceptional circumstances subject to availability.
2. Home visits can be arranged in exceptional circumstances.
3. The Licensing Service carries out user group surveys from time to time to which the Service will positively respond where possible, resources permitting.
4. Westleigh House reception has been adapted to meet the DDA requirements so that visitors with disabilities should have no problems accessing these services.
5. The Licensing Service liaise with stakeholder groups such as associations representing the taxi trade, Parish Council's and user groups such as those representing the disabled in Tendring.
6. Census figures show that Legal Services is taking a proportionate and reasonable approach to EIA.
7. Specific Officer with relevant experience nominated to deal with any difficult licensing queries raised by someone from an ethnic minority group.
8. Ethnicity questionnaire sent to all new applicants for taxi licences and the data provided can assist the Service to prove there is no discrimination in the licence application process.

**Stages 3/4 – Formal Consultation & Consultation Result**

This is only necessary if you have drawn up proposals to address any issues identified in **stage 2.2**. For consultation advice, in the first instance please refer to **stages 3 & 4** of the EIA Framework.

Which stakeholder groups have you consulted with? How have you consulted with them? What were the results? Have you altered your approach due to feedback, if so what have you changed? *Please summarise below*

N/A

**Stage 5 – Publish Findings**

Please summarise below arrangements you have made for publication of your findings. For advice please refer to **stage 5** of the EIA guidance

Council's Website and Intranet.

**Stage 6 – Monitor & Review Arrangements**

Please summarise below what arrangements you have made to monitor/review the impact of the policy, procedure and practice. For advice please refer to **stage 6** of the EIA guidance. Please explain why if you have not.

The Licensing Service is the subject of numerous policies and procedures due to the diverse nature of its duties. Policy reviews are undertaken by the Council's Licensing Committee. Day to day monitoring is undertaken by the Licensing Team with particular emphasis being placed on enforcement which on occasions is undertaken with other agencies such as the Police.

**Date**  
**Completed** 7/1/09