

Cambridge City Council Equality Impact Assessment (EqIA)

This tool helps the Council ensure that we fulfil legal obligations of the [Public Sector Equality Duty](#) to have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Guidance on how to complete this tool can be found on the Cambridge City Council intranet. For specific questions on the tool email Helen Crowther Equality and Anti-Poverty Officer at equalities@cambridge.gov.uk or phone 01223 457046.

Once you have drafted the EqIA please send this to equalities@cambridge.gov.uk for checking. For advice on consulting on equality impacts, please contact Graham Saint, Strategy Officer, (graham.saint@cambridge.gov.uk or 01223 457044).

| 1. Title of strategy, policy, plan, project, contract or major change to your service |
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| Hackney Carriage & Private Hire Licensing Policy 2024 |

| 2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available) |
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| Hackney Carriage and Private Hire Licensing Policy - Cambridge City Council |

3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?

The policy sets out Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy on the licensing of Hackney Carriage and Private Hire Drivers and Vehicles, together with all Private Hire Operators. The policy sets out the legislative framework administered by the Licensing Authority in respect of such licences.

The policy has been produced pursuant to the powers conferred by the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 (as amended) which places duties on the Council to carry out its licensing function.

The policy is intended to put the Council's licensing requirements into context for all parties in a clear and transparent manner. In setting out the policy, the Licensing Authority seeks to carry out the licensing functions with a view to promoting the following objectives:

- i) The safety and protection of the public;
- ii) Vehicle safety, comfort and access;
- iii) The prevention of crime and disorder;
- iv) The promotion of environmental sustainability, and;
- v) The protection of children and adults at risk from harm.

The policy refers to guidance that is available to assist with the processes and is referred to as the Hackney Carriage and Private Hire Licensing Handbook.

The policy was agreed in 2016 and has been regularly updated with changes in policy as agreed by licensing committees.

A review of the policy has taken place and has been in line with statutory guidance.

The latest updates to the policy will be signed off at Licensing Committee on 16th September 2024

4. Responsible Team and Group

Environmental Health Team, Communities Group

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| 5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick all that apply) | <input checked="" type="checkbox"/> Residents <input checked="" type="checkbox"/> Visitors <input type="checkbox"/> Staff |
| Please state any specific client group or groups (e.g. City Council tenants, tourists, people who work in the city but do not live here): | |

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| 6. What type of strategy, policy, plan, project, contract or major change to your service is this? | <input type="checkbox"/> New <input type="checkbox"/> Major change <input checked="" type="checkbox"/> Minor change |
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| 7. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service? (Please tick) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>policy recognises that the licensing function is only one means of securing the delivery of the objectives and the Authority will continue to work in partnership with the Taxi trade, neighbouring local authorities, DVLA, the Police, Driver & Vehicle Standards Agency (DVSA) other enforcement agencies (such as DWP and the Home Office), local business and local residents/ visitors.</p> <p>Within the organisation the Licensing & Enforcement Team will continue to work with the Customer Service Centre, Legal Services and the Garage.</p> | |

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| 8. Has the report on your strategy, policy, plan, project, contract or major change to your service gone to Committee? If so, which one? |
| It will be going to Licensing Committee on 16 th September 2024 |

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| 9. What research methods/ evidence have you used in order to identify equality impacts of your strategy, policy, plan, project, contract or major change to your service? |
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EqIA CCTV July 2023
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EqIA - Vehicle age
amendment HC com

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Secondary sources used to identify equality impacts for this EqIA include:

- [Hate crime, England and Wales, 2022 to 2023 second edition - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/hate-crime-england-and-wales-2022-to-2023-second-edition)
- [Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england)
- [Taxi and Private Hire Vehicle Statistics: England 2021 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/publications/taxi-and-private-hire-vehicle-statistics-england-2021)

10. Potential impacts

For each category below, please explain if the strategy, policy, plan, project, contract or major change to your service could have a positive/ negative impact or no impact. Where an impact has been identified, please explain what it is. Consider impacts on service users, visitors and staff members separately.

(a) Age - Please also consider any safeguarding issues for children and adults at risk

Children and adults at risk – it is a local requirement of the revised Policy that mandatory Safeguarding training be delivered for all licence holders. This also applies to new applicants. There will also be mandatory refresher training three yearly.

Age restrictions are included in applications for drivers, however these follow national guidelines. Persons wishing to be licensed as a taxi driver must have held a full driving licence for 12 months. This prevents 17 year olds from being licensed. However, it also ensures that drivers have had some experience before they take on the responsibility of the safety of fare paying passengers. The council is considering extending the period for which someone needs to have a driving licence to two years, which would prevent 17 and 18 year olds from being licenced. The recommendation being made at committee in September 2024 is to go out to consultation on this and other changes proposed to the policy. The rationale for extending the period to two years is to improve safety for the public. This is because during the first 2 years of holding a drivers license if 6 points is accrued then the license is cancelled and there is a requirement to retake both the driving and theory test. However, there is no notification of this on the license so it would be difficult to determine if the applicant has held a driving license for a full 12 months.

Licensed drivers aged over 60 years are subject to more frequent medical assessments (annually as opposed to five yearly).

As older people are more likely to have disabilities to proposed change to the policy, for which the council aims to go out to consultation for, around disability training may benefit older age groups.

(b) Disability

Individuals with disabilities or impairments – 50 % of the Hackney Carriage fleet is Wheelchair Accessible (WAV) which meets the Equality Act requirement that where vehicles are limited there is a % of WAV.

Anecdotal evidence for the main WAV operator in the area has suggested that by increasing the age limit on licensed vehicles will increase the availability of WAVs as older vehicles will be cheaper to purchase.

In conjunction with the Safeguarding training, an element of equality and accessibility training is included for all licence holders along with a code of conduct which is also applicable to licence holders to ensure good practice.

There are restrictions on having a taxi driver's licence relating to medical fitness. This policy reflects government guidance that the stricter Group 2 licence criteria (for heavy goods and bus drivers) should be applied to taxi drivers. This may lead to the situation where a person who has a car driving licence (based on Group 1 criteria), is refused a taxi driving licence (group 2 criteria) because of a disability or illness.

In relation to recommendations being made for Sept 2024, the council is proposing to make a change to disability training, and will need to go out to consultation on this. The council is looking into providing training to taxi drivers to support them how to practically support people with wheelchairs and mobility scooters to be able to use taxis. The county council already requires this for drivers contracted to do school runs. Not all taxis are wheelchair accessible so the council is considering how best to roll this out.

There are different types of WAVs and wheelchairs and it is ensuring the safety of both the passenger and the driver when manoeuvring a WAV. There are no national specifications and no size fits all. Wheelchairs has evolved got increasingly bigger, but some WAV can still only take the smaller non electric wheelchairs.

This change in policy would be to support drivers to ensure they are able to put a wheelchair passenger into the vehicle safely

The policy aims to improve safety for the travelling public including groups who could be subjected to hate crime such as disabled people. UK statistics show that from 2018/19 hate crime targeted at disabled people rose by 71% by 2022/23.

(c) Gender reassignment

The policy aims to improve safety for the travelling public including groups who could be subjected to hate crime such as transgender people. (that includes but is not limited to many people protected by the Equality Act under the protected characteristic of gender reassignment). UK statistics found that hate crime motivated by prejudice towards someone's transgender identity increased by 11% from 2021/22 to 2022/23. It has continually increased since 2018/19 and from 2018/19 to 2022/23 the increase has been by 110%, which is the largest increase for any group experiencing hate crime.

(d) Marriage and civil partnership

No impacts have been identified specific to this protected characteristic group.

(e) Pregnancy and maternity

No impacts have been identified specific to this protected characteristic group.

(f) Race – Note that the protected characteristic ‘race’ refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Licensed drivers and passengers are from many ethnic backgrounds and nationalities, and according to The Department of Transport in 2020/21 44% of taxi and private hire vehicle drivers were Asian or Asian British.

It is a requirement of the Policy that applicants who have lived outside of the UK for a period of six months or more (in the past five years) must provide a Certificate of Good Conduct from their embassy as part of their application. This element supports the mandatory Disclosure and Barring Service (DBS) check which is required upon application and every three years thereafter.

In addition to this, the training which is required to be undertaken by all licence holders and new applicants is delivered face to face and in English. As part of the application process, a multiple choice online ‘written’ test is undertaken, this too is in English.

Language knowledge and ability, and local knowledge may be a barrier to some ethnic communities applying for hackney carriage and private hire licences – however, there is a need for licensed drivers to read road signs, communicate with passengers, and have knowledge of the area, therefore written/oral understanding of English is required.

Practical measures to reduce any negative impact can be put in place such as any training materials available in other formats or for the individual to undertake an additional basic English Language course in order to assist with this.

Language may be a barrier for some ethnic communities in understanding regulations and enforcement issues – assistance can be provided if necessary (in the form of interpretation)

The policy aim is to protect drivers as well as the travelling public

The policy aims to improve safety for the travelling public including groups who could be subjected to hate crime such as that motivated by hatred towards someone’s ethnicity which is most common – accounting for 70% of recorded hate crimes according to UK statistics. Hate crimes recorded relating to hatred towards someone’s ethnicity increased between 2018/19 to 2022/23 by nearly 31%.

(g) Religion or belief

There is no specific evidence at this present time; the policy is fully inclusive to all. No risks have been identified.

However, impacts were raised with the introduction of CCTV and this was specifically picked up in the CCTV in licensed vehicles EqIA: The proprietor of a vehicle is responsible for the cost of the CCTV system. People with Islamic beliefs are not able to borrow money with interest. This means they may not be able to take advantage of financial help from suppliers regarding the purchase of the CCTV equipment. Following officer research, it was found that a number of lending firms are specifically designed for those who cannot borrow in ways that will compromise people's individual beliefs.

The policy aims to improve safety for the travelling public including groups who could be subjected to hate crime such as that motivated by hatred towards someone's religion or belief.

(h) Sex

One objective of the policy is the prevention of crime and disorder. The policy aims to prevent occurrences of sexual harassment and assault which is disproportionately experienced by women. This is done by way of robust checks and balances of drivers before being issued a licenses including enhanced DBS, safeguarding training, prominent livery of Hackney carriage vehicles, CCTV install in vehicles

(i) Sexual orientation

The policy aims to improve safety for the travelling public including groups who could be subjected to hate crime such as that motivated by hatred towards someone sexuality. UK statistics have found that between 2018/19 and 2022/23 this has increased by 71%.

(j) Other factors that may lead to inequality – in particular, please consider the impact of any changes on:

- **Low-income groups or those experiencing the impacts of poverty.**
- **People of any age with care experience – this refers to individuals who spent part of their childhood in the care system due to situations beyond their control, primarily arising from abuse and neglect within their families. The term “Care experience” is a description of a definition in law, it includes anyone that had the state as its corporate parent by virtue of a care order in accordance with the Children Act 1989 and amendments.**
- **Groups who have more than one protected characteristic that taken together create overlapping and interdependent systems of discrimination or disadvantage. (Here you are being asked to consider intersectionality, and for more information see: https://media.ed.ac.uk/media/1_159kt25q).**

The implementation of CCTV in licenced vehicles as a requirement in the policy is a necessary business expense to ensure they comply with policy requirements, in the same way a food business will be required to purchase equipment e.g fridge to ensure they comply on food storage requirements. But if they are on a low income or currently experiencing poverty this could have negative impact.

Close to timeframe of requiring CCTV in licenced vehicles, the council also extended the maximum age limit for vehicles to be licenced by an additional 2 years (to 11 years) that enables licenced proprietors to save additional monies to purchase new vehicle.

11. Action plan – New equality impacts will be identified in different stages throughout the planning and implementation stages of changes to your strategy, policy, plan, project, contract or major change to your service. How will you monitor these going forward? Also, how will you ensure that any potential negative impacts of the changes will be mitigated? (Please include dates where possible for when you will update this EqIA accordingly.)

There are 4 areas namely :

Increase from 1 year to 2 year to hold a drivers license

Disability training

Door signs

Daily vehicle checks

which are going out to consult after Licensing Committee on 16th September 2024 , which will be going back to Committee in January 2025, when the EqIA will be updated with any further changes if they are approved but changes may have own EqIA/s.

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| 12. Do you have any additional comments? |
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| <p>The legislation, guidance and policy are for the benefit of all licences and applications that meet the statutory and policy criteria.</p> <p>The Licensing Authority holds a neutral stance in relation to all matters providing the application criteria are met by the applicant. The only reasons for rejecting an application stem from the statutory and policy requirements of the application process. The only objections that may be considered by the Licensing Authority that may lead to a decision not to grant a licence relate exclusively to aspects associated with the applicant being a fit and proper person in law.</p> <p>All applications, licence grants and enforcement matters follow the same procedure and policy.</p> <p>The Hackney Carriage and Private Hire Licensing Policy does not seek to undermine the rights of any individual to apply under the policy for a variety of permissions, or have their application considered on its individual merits. The Licensing Authority will only depart from the Policy if the individual circumstance of any case merits such a decision in the interests of the promotion of the licensing objectives.</p> |
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13. Sign off

Name and job title of lead officer for this equality impact assessment: Yvonne O'Donnell
Environmental Health Manager

Names and job titles of other assessment team members and people consulted: Luke
Catchpole (Environmental Health and Licensing Support Team Leader) . Helen Crowther
(Equality and Anti-Poverty Officer),

Date of EqlA sign off: 4th September 2024

Date of next review of the equalities impact assessment: January 2025

Date to be published on Cambridge City Council website: 9th September 2024

**All EqlAs need to be sent to the Equality and Anti-Poverty Officer at
equalities@cambridge.gov.uk**